Meeting of the Village of Buffalo Grove Village Board

Committee of the Whole
June 6, 2022 at 7:30 PM

Fifty Raupp Blvd
Buffalo Grove, IL 60089-2100
Phone: 847-459-2500

1. Call to Order

A. Pledge of Allegiance

2. Special Business

A. Link Together Stand Strong Proposal (Trustee Weidenfeld) (Staff Contact: Dane Bragg)

B. Code Review Title 6 (Trustee Weidenfeld) (Staff Contact: Brett Robinson)

C. 2022 5-Year General Fund Forecast (Trustee Weidenfeld) (Staff Contact: Chris Black)

D. 2022 20-Year Water Pro-Forma (Trustee Weidenfeld) (Staff Contact: Chris Black)

3. Questions From the Audience

Questions from the audience are limited to items that are not on the regular agenda. In accordance with Section 2.02.070 of the Municipal Code, discussion on questions from the audience will be limited to 5 minutes and should be limited to concerns or comments regarding issues that are relevant to Village business. All members of the public addressing the Village Board shall maintain proper decorum and refrain from making disrespectful remarks or comments relating to individuals. Speakers shall use every attempt to not be repetitive of points that have been made by others. The Village Board may refer any matter of public comment to the Village Manager, Village staff or an appropriate agency for review.

4. Executive Session

A. Executive Session - Section 2(C)(1) of the Illinois Open Meetings Act: the Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Specific Employees of the Public Body or Legal Counsel for the Public Body, Including Hearing Testimony on a Complaint Lodged Against an Employee of the Public Body or Against Legal Counsel for the Public Body to Determine Its Validity. (President Sussman) (Staff Contact: Dane Bragg)

5. Adjournment

The Village Board will make every effort to accommodate all items on the agenda by 10:30 p.m. The Board, does, however, reserve the right to defer consideration of matters to another meeting should the discussion run past 10:30 p.m.

The Village of Buffalo Grove, in compliance with the Americans with Disabilities Act, requests that persons with disabilities, who require certain accommodations to allow them to observe and/or participate in this meeting or have questions about the accessibility of the meeting or facilities, contact the ADA Coordinator at 459-2525 to allow the Village to make reasonable accommodations for those persons.

Information Item : Link Together Stand Strong Proposal

Recommendation of Action

Staff recommends consideration of the attached proposal as part of the FY 2023 budget process.

Link Together and Stand Strong coalitions are requesting municipalities to contribute $10,000 on an annual basis to support youth drug and alcohol prevention programs in the community, as part of a larger funding strategy to replace grant funds that will be lost during the period 2023-25.

ATTACHMENTS:

- 06-02-22 OMNI Link Together Proposal (DOCX)
- Link Together and Stand Strong Buffalo Grove sustainibility one page overview (PDF)

Trustee Liaison	**Staff Contact**
Weidenfeld	Dane Bragg, Office of the Village Manager

Monday, June 6, 2022	

VILLAGE OF
BUFFALO GROVE

MEMORANDUM

DATE: June 2, 2022

TO: Village President Beverly Sussman and Trustees

FROM: Dane Bragg, Village Manager

SUBJECT: Link Together/Stand Strong Coalition Funding

Policy Question

Should the Village of Buffalo Grove provide funding to the Link Together/Stand Strong coalitions for youth drug and alcohol prevention efforts in Buffalo Grove in the amount of $10,000?

Staff Recommendation

Staff recommends the Village Board consider the requested funding as part of the FY 2023 budget process. Representatives from the Police Department will further assess program outcomes over the next few months to develop a recommendation to the Village Board. No specific action by the Village Board is required at this time.

Background

The coalitions are currently funded in part by a Drug Free Communities Grant in the amount of $250,000 annually. The grant program provides funding through September 30, 2023 for Link Together and September 30, 2025 for Stand Strong. The DFC grant program cannot be extended past these dates. The coalitions also receive $563,000 annually in grant funding through the Illinois Department of Human Services Substance Use Prevention program.

Because the coalitions are nearing the end of their grant periods, they are seeking funding from various community agencies (school districts, municipalities, parent associations) to sustain their programs into the future. Municipalities that are served by the coalitions are being asked to contribute $10,000 on an annual basis. For the current request, funding is anticipated to occur in September 2023.

Representatives from Link Together/Stand Strong, as well as Dr. Greg Barker, will be present at the June 6 Village Board meeting to provide background on the coalition's background, funding and future goals.

Next Steps

The Village Board does not have a specific community-agency or program grant policy. Should the Village Board wish to consider funding this request, a discussion should occur to establish the proper method to provide funding. Funding could be provided directly or indirectly (through the Buffalo Grove Community Foundation), and could be on a 100 percent, partial, or matching basis.

Link Together and Stand Strong Coalition's Sustainability Plan

GOAL: Continue current youth drug and alcohol prevention efforts in Buffalo Grove.

MISSION: Promote healthy youth, families, and communities by decreasing teen alcohol and drug use through education, advocacy, access to community resources; and policy awareness, implementation, and change.

WHAT WE PLAN TO PROVIDE BY 2025: Link Together and Stand Strong Coalitions have and will continue to provide youth prevention services to Wheeling Township through September 2023 and portions of Lake County through September 2025. These efforts have been funded through two federal Drug-Free Communities Grants totaling $2,500,000 over ten-year periods.

* Services Provided

Buffalo Grove Community Youth Prevention Services	Details
1. Link Together and Stand Strong Coalitions	Professional data evaluation, collaboration with local coalitions and agencies, local policy work, professional development and training, website, social media
2. Marijuana	Youth education, parent education opportunities, educational campaigns
3. Alcohol	Community-wide prevention education for youth and adults
4. Vaping	Youth education, parent education opportunities
5. Impaired Driving	Youth education, law enforcement education, newsletter
6. Community Education	Speaker presentations, newsletter, community and parent educational campaigns, Drug Take Back initiatives

Annual Funds Requested

Link Together and Stand Strong Coalitions are requesting annual funds in the amount of $10,000 from the Village of Buffalo Grove or 4% of the total funds that will be expiring. These funds would be utilized to serve the Buffalo Grove community. In addition to this request, other funding sources are being sought to sustain Link Together/Stand Strong initiatives. These funding sources include business and community grants, local schools and local villages.

Funding Requested	Who	When	Annual Review	Agreement Renewal
$10,000	Village of Buffalo Grove	Receive in September 2023	September 2024	Spring 2023 for 2023 – 2024

Other Funding Sources that will be pursued:

$37,500	Wheeling Township High Schools
$35,000	Wheeling Township Middle Schools
$10,000 each	Villages
$1,000	The Networking Group/Riverwoods
$1.000	Stevenson Patriot Parent Association annual donation

In Kind Funding Sources

$75,000	Stevenson High School Prevention staff
$2,600	Middle School staff (District 76, 96, 102 and 103)

Information Item : Code Review Title 6

Recommendation of Action

Staff recommends discussion.

Staff will provide an overview of the proposed changes to Title 6 of the Buffalo Grove Municipal Code.

ATTACHMENTS:

- CR Title 6 Memo 2022 (DOCX)
- Title 6 - ANIMALS_Final (PDF)
- Title 6 - Animals Redline (PDF)

Trustee Liaison	**Staff Contact**
Weidenfeld	Brett Robinson, Finance

Monday, June 6, 2022	

VILLAGE OF
BUFFALO GROVE

DATE: May 31, 2022

TO: Dane Bragg, Village Manager

FROM: Brett Robinson, Administrative Services Director
Jessie Brown, Administrative Services Manager

RE: Code Review Title 6

Background Information
Staff have completed the first pass through of the review process of Title 6. "Animals"

Overview of Changes to Title 6:
Global Changes
- Changed gender specific terms to gender neutral terms.
- Consistent with Title 1, where practical, fee information was moved from this Title and moved to a new Appendix A. This move will allow for ease in locating and updating this information.
- Removed "breed" specific language
- Capitalized "Dangerous Animal", "Found to be a Dangerous Animal", and "Found to be a Potentially Dangerous Animal" to clarify these are defined terms.
- Removed "pet shop" and replaced with "retail establishment"

Chapter 6.04.020 – Definitions
Clarification around the following items
- Animal Control Hearing Board has been redefined and the hearing shall now be before an administrative law judge during regularly scheduled administrative adjudication hearings.
- "Special Enclosure" has been revised to include a locked room within a residence.

Chapter 6.12.010 – Rabies Vaccination
This chapter was updated to reflect changes in law.

Chapter 6.12.040 – Animal Care
Language involving tethering of an animal was revised and updated to more closely mirror the State code (510 ILCS 70/3)

Chapter 6.12.070 – Unlawful to run at large
Removed tethering language from this chapter.

Chapter 6.12.130 - Animals in public buildings and stores and on public property during festivals.
Cleaned up the language as to what types of animals and where animals can be allowed in public buildings and businesses.

6.12.190 - Prohibition of retail sales of dogs, cats, and rabbits.
Updated this language to reflect one cannot barter or sell the prohibited animals.

6.12.170 – Cruelty
Added language to prohibit coloring an animal with a substance toxic to that animal

Next Steps
Staff requests the Board contact Brett Robinson with any concerns regarding the proposed changes to these two titles.

Staff has already begun the review of Title 8 "Health and Safety". The review of 8 is expected to take about six weeks, at which time a redline version of the title and chapter of the code showing proposed changes will be brought back to the Village Board for review and comment. Once the entire code has been reviewed and presented to the board, staff will come before the Board with a final draft of the code for review and approval.

Title 6 - ANIMALS

Chapter 6.04 - GENERAL PROVISIONS*

6.04.010 - Purpose.

It is the purpose of this Title to protect animals from neglect and abuse, to protect residents from annoyance and injury by animals, to assure that animal owners are responsible and in control of their animals at all times, to assist in providing housing for animals in the custody of the Village, to cover the cost of licensing and caring for animals and to establish a program to discourage the excessive multiplication of animals.

6.04.020 - Definitions.

For the purposes of this Title, the definitions set forth in this section shall apply:

A. "Animal" means every living creature, domestic or wild, not including human beings.

B. "Animal Control Center" means a place designated by the Village Police Department for the housing of animals in the temporary custody of the Village.

C. "Dangerous Animal" means:

1. Any animal which has inflicted injury on, or has bitten a human being without provocation on public or private property; or
2. Any animal which has attacked a domestic animal without provocation while off the owner's property, unless the animal is found to be "potentially dangerous" under the provisions of subsection J; or
3. Any individual animal with a known propensity, tendency or disposition to attack without provocation, to cause injury or to otherwise endanger the safety of human beings or domestic animals; or
4. Any dog owned or harbored primarily or in part for the purpose of dog fighting or any dog trained for dog fighting; and
5. Represents a significant threat to the health or safety of the public.

Dangerous Animals shall not be classified in a manner that is specific to breed.

No dog shall be deemed a Dangerous Animal if it is a dog owned by a law enforcement agency.

D. "Found to be a Dangerous Animal" means:

1. A member of the Police Department has conducted an investigation and made a finding, in writing, that the animal is a Dangerous Animal as defined in this section and the owner of the animal having been notified in writing has not appealed the finding of the Police Department to the Hearing Board within five days of mailing by recognized overnight courier of such notice; or
2. The owner of an animal Found to be a Dangerous Animal by a member of the Police Department has appealed such finding to the Hearing Board within five days of mailing by recognized overnight courier of such notice and the Hearing Board has sustained the finding of the Police Department; or
3. The Circuit Court has found the animal to be a Dangerous Animal as defined in this section and has entered an order based on that finding; or
4. The Circuit Court has found the dog to be a vicious dog as defined in the Illinois Animal Control Act and has entered an order based on that finding; and
5. Represents a significant threat to the health or safety of the public. If the owner of a Found to Be Dangerous Animal is in the process of appealing the finding of the Police Department

and a decision has not yet been reached by the Animal Control Hearing Board, the owner shall pay the tag fee set forth in Appendix A of this Code.

E. "Found to be a Potentially Dangerous Animal" means:

1. A member of the Police Department has conducted an investigation and made a finding, in writing, that the animal is a Potentially Dangerous Animal as defined in this section and the owner of the animal having been notified in writing has not appealed the finding of the Police Department to the Hearing Board within five days of mailing by recognized overnight courier of such notice; or

2. The owner of a dog found to be a potentially dangerous dog by a member of the Police Department has appealed such finding to the Hearing Board within five days of mailing by recognized overnight courier of such notice and the Hearing Board has sustained the finding of the Police Department; or

3. The Circuit Court has found the animal to be a Potentially Dangerous Animal as defined in this section and has entered an order based on that finding; and

4. May represent a significant threat to the health or safety of the public. If the owner of a Found to be Potentially Dangerous Animal is in the process of appealing the finding of the Police Department and a decision has not yet been reached by the Animal Control Hearing Board, the owner shall pay the tag fee set forth in Appendix A of this Code.

F. "Has bitten" means has been seized with the teeth or jaws so that the person seized has been nipped, gripped, wounded or pierced.

G. Hearing Board. The Village Manager, or a designee of the Village Manager, shall appoint an administrative law judge to act as the Hearing Board. Hearings shall take place during regularly scheduled administrative adjudication hearings. The Police department may request a special hearing where circumstances indicate exigences may exist.

H. "Owner" means any person who:

1. Has a right of property in an animal;

2. Keeps an animal; or

3. Has an animal in their care, custody or control; or

4. Knowingly permits an animal to remain on or about any premises occupied by themselves.

J. "Potentially Dangerous Animal" means any animal which:

1. When unprovoked, chases or approaches a person upon any public or private property in a menacing fashion or apparent attitude of attack; or

2. Has attacked a domestic animal without provocation while off the Owners property; and

3. May represent a significant threat to the health or safety of the public.

No dog shall be deemed a Potentially Dangerous Animal if it is a dog owned by a law enforcement agency.

L. "Run at large" means a dog free of restraint and off the premises of the owner.

M. "Special enclosure" means a structure of at least five feet in height, but no higher than six feet in height with secure sides, top and bottom forming or causing an enclosure suitable to prevent the entry of young children, and suitable to confine an animal in conjunction with other measures which may be taken by the owner or keeper. Such enclosure shall be located a minimum of twenty feet from any lot line and shall be securely closed and locked whenever the animal is enclosed within the structure. Such enclosure shall have a self-closing and self-latching gate and shall be securely locked, in a manner that ensures that only authorized persons may open it with a key, code or similar security device and the enclosure shall be so designed, installed and maintained with secure sides, top and bottom designed to prevent the animal from escaping from the enclosure. If the enclosure is a room within a residence, it cannot have direct ingress from or egress to the outdoors unless it leads directly to an enclosed pen and the door must be locked.

6.04.030 - Hearing Board—Authority and procedures.

A. The Hearing Board shall have the power and authority to:

1. Hear an appeal by an Owner, of the Police Department's finding of a Dangerous Animal, or a Potentially Dangerous Animal;
2. Conduct a hearing on the reclassification of a Found to be Potentially Dangerous Animal;
3. Sustain, overrule or modify the Police Department's finding of Found to Be a Potentially Dangerous Animal, or Found to Be a Dangerous Animal;
4. Impose limitations, restrictions, or additional requirements on animals Found to be Dangerous, or Found to be Potentially Dangerous or the owners thereof.

B. During the Hearing Board's hearing, the Owner shall have the opportunity to present evidence that the animal is not a Dangerous Animal, a Potentially Dangerous Animal or that the animal has been rehabilitated.

6.04.040 - Rehabilitation and reclassification of a found to be potentially dangerous animal.

A. No petition for the reclassification of a Found to Be a Potentially Dangerous Animal will be considered for reclassification within one hundred eighty days of the finding by the Police Department, or the finding of the Hearing Board.

B. After said one hundred eighty day time period the owner may petition the Police Department to have the designation "Found to Be Potentially Dangerous" removed.

C. In order to be considered rehabilitated the following factors shall be reviewed:

1. An analysis of any reported incidents since the initial finding and designation of potentially dangerous.
2. A field investigation by the Police Department.
3. Written certification by an animal trainer, animal behaviorist or a veterinarian as approved by the Village Health Officer.
4. Written finding by the Police Department that the animal no longer meets the definition of a Potentially Dangerous Animal as set forth in this Title.

D. An owner shall have the right to petition the Hearing Board within seven days of the Police Department's denial of reclassification.

6.04.050 - Violation—Penalty.

Any person violating the provisions of this Title shall be punished according to the provisions of Chapter 1.08 unless otherwise stated herein.

Chapter 6.08 - IMPOUNDMENT

6.08.010 - Authority—Cause.

A. The Village may impound any Dangerous Animal, Potentially Dangerous Animal, dog running at large, or any animal maintained in violation of this Title.

B. A member of the Police Department, for the purpose of carrying out the provisions of this Title, may enter upon private premises to apprehend a Dangerous Animal, an animal Found to be a Dangerous Animal, a Potentially Dangerous Animal, or any animal maintained in violation of this Title. If after request therefor, the owner of such animal shall refuse to deliver the animal to the officer the owner shall be in violation of this Title.

C. If any animal cannot be safely taken and impounded when necessary for the protection of any person, including the police officer, or property, such animal may be slain by the police officer or person authorized by the Village; provided, however, that in all cases where any animal so slain has bitten any person or caused an abrasion to the skin of such person, effort should be made not to cause injury to the head of the animal and it shall be the duty of the person slaying the animal to immediately deliver the carcass to a licensed veterinarian to prepare the head and brain for delivery to the Cook or Lake County Rabies Control Department.

6.08.020 - Notice to owner.

Upon impoundment of any animal the Police Department shall notify the Owner (if known) of the impoundment. Said notification shall be by means of telephone, personal contact or by mail. Such notice shall inform the owner of the procedure to regain custody of the animal.

6.08.030 - Redemption.

A. Any animal Found to Be a Dangerous Animal shall be impounded and thereafter may be destroyed in a humane fashion.

B. If the owner of an animal, which has been Found to be Potentially Dangerous and subsequently found not to be confined as set forth in Section 6.12.120, does not appeal the Village's impoundment of the animal to the Hearing Board within two days of impounding the animal, the animal may be destroyed in a humane fashion. An animal Found to be Potentially Dangerous, subsequent to impoundment, shall not be released to the Owner until the Owner complies with the requirements of Section 6.12.120.

C. Any other animal impounded under the provisions of this Title may be redeemed at the Animal Control Center by the owner within five days of impoundment, upon the payment to the Village of the fees as set forth in Appendix A of this Code.

D. Sundays and holidays shall be counted as days for the purpose of this section. The payment of the fees provided for in this section shall be in addition to any fines levied by the circuit court. The release of any impounded animal shall be contingent upon proof of valid rabies vaccination.

6.08.040 - Disposition of animals not redeemed.

Any animal not redeemed, as provided herein, shall be destroyed in a humane fashion unless the animal can be placed for adoption or placed with a humane society. No animal Found to be a Dangerous Animal or Found to be a Potentially Dangerous Animal shall be placed for adoption.

6.08.050 - Impounded animals—Interference.

No unauthorized person shall interfere with the impounding of any animal, or shall release any animal that has been impounded by the Village.

Chapter 6.12 - CARE AND CONTROL

6.12.010 - Rabies vaccination.

It is the duty of all persons owning or keeping a dog or cat, 4 months or more of age, to have such animals inoculated against rabies by a licensed veterinarian. Every dog and cat shall have a second rabies vaccination within one year of the first. Terms of subsequent vaccine administration and duration of immunity must be in compliance with USDA licenses of vaccines used.

6.12.030 - Unauthorized removal of collars, tags, muzzles.

It is unlawful for any person, other than a member of the Police Department, licensed veterinarian or Owner, or any person operating under the direction of any of the forgoing, to remove the collar, license tag or muzzle from any dog or cat within the Village without the consent of the owner of such animal.

6.12.040 - Animal care.

Each owner shall provide for each animal:

A. Sufficient quantity of good and wholesome food and water;

B. Adequate shelter and protection from the weather;

C. Veterinary care when needed to prevent suffering; and

D. Humane care and treatment.

E. If tethered, the owner shall ensure the dog:

1. Is monitored in a fashion to ensure that the life and health of the dog is not endangered.

    a. The tether must allow the dog to sit, lie down, and stand comfortably without the restraint becoming taut and allow the dog a range of movement;

    b. The dog must have access to an area it can avoid standing water and exposure to excessive excrement.

2. does not suffer from a known condition that is exacerbated by tethering;

3. is tethered in a manner that will prevent it from becoming entangled with other tethered dogs;

4. is not tethered with a lead that exceeds one-eighth of the dog's body weight or is a tow chain or log chain;

5. is tethered with a lead that measures at least 10 feet in length;

6. is tethered with a properly fitting harness or collar other than the lead or a pinch, prong, or choke-type collar; and

7. is not tethered in a manner that will allow it to reach within the property of another person, a public walkway, or a road.

6.12.050 - Female dogs or cats in heat.

Any person in control of a female dog or cat in heat shall confine such dog or cat in an enclosed area so as to preclude other dogs or cats from being attracted to or coming in contact with such female animal, except for planned breeding.

6.12.060 - Responsibility for the removal of excrement.

A. The Owner of every animal shall be responsible for the removal and sanitary disposal of any excrement deposited by the animal anywhere in the Village. The excrement shall be removed according to the following:

1. Excrement deposited on any public property within the Village shall be removed immediately.

2. Excrement deposited on any private property shall be removed within seventy-two hours.

3. Excrement deposited on any private property without the consent of the property owner shall be removed immediately.

B. Animal excrement shall not be deposited in the storm sewer.

6.12.070 - Unlawful to run at large.

A. It is unlawful for an owner to permit a dog, except on a leash controlled by the owner or a responsible person, to use or be upon any public street, sidewalk, parkway, public area or unenclosed premises within the Village. No leash shall be longer than eight feet in length. Leashes, if used, shall be of sufficient strength and material to constrain the animal.

B. The Owner of every animal shall be in control of the animal at all times.

C. It is unlawful for any dog to run at large in the Village.

D. It is unlawful for any dog, cat or other domestic animal to enter upon the property of another without the consent of the property owner. Members of the Police Department or an Animal Control Officer may impound any animal that is found in violation of this section.

6.12.080 - Limitation on number of animals.

A. No person shall keep more than one pigeon, or more than four (in the aggregate) guinea pigs or gerbils in the Village, except in a licensed retail establishment.

B. No person shall keep or permit more than a total of four dogs and/or cats and/or rabbits over the age of four months to be or remain in or about any detached single-family residence, rooming house, building or lot, or more than a total of two dogs and/or cats and/or rabbits in any other type of residence within the Village.

C. The limitations of this section shall not apply to the following animals if kept as pets: caged birds (except for pigeons or fowl) and fish.

6.12.090 - Prohibited animals.

It is unlawful to keep any animal Found to be a Dangerous Animal, protection dog, guard dog (except by special permit), pigs, swine, sheep, cattle, horses, goats, fowl, hens, chickens, roosters or other similar animals, or any naturally wild animals, except birds or fish, within the Village.

6.12.095 - Exceptions.

A. Sections 6.12.080, 6.12.090 and 6.12.130 shall not apply to dogs owned by a law enforcement agency, zoological parks, performing animal exhibitions, educational institutions, veterinary hospitals or animal shelters.

B. With prior approval of the Village Manager, Section 6.12.070 shall not apply to dogs used to control Canada geese on public property owned by a municipality, park district or school district.

6.12.100 - Diseased animals.

No domestic animal afflicted with a contagious disease or an infectious disease shall be allowed to run at large or to be exposed in any public place where the health of other animals or a human being may be affected.

6.12.110 - Animal bites.

If an animal has bitten a person, the Police Department shall notify the owner of the animal of the steps that must be taken under the Rabies/Animal Control Ordinance of the county in which the bite took place, and of any other applicable statute. If the owner is not known, the police officer or animal control officer shall take such animal as soon as practicable to a licensed veterinarian or the proper animal shelter of the county in which the bite took place for observation and/or confinement as required by applicable county ordinances.

6.12.120 - Found to be potentially dangerous animals.

A. No owner shall permit any animal Found to be a Potentially Dangerous Animal to be allowed off the owner's premises, except as follows:

1. When it is securely muzzled, on a six-foot nonretractable leash and within the control of a person eighteen years of age or older; or
2. When it is caged.

B. Animals Found to be Potentially Dangerous, while on the premises of the owner, shall be:

1. Confined within the owner's home; or
2. Muzzled, and so restrained so as to be unable to leave the owner's premises; or
3. Confined within a "special enclosure" so that the animal cannot attack persons lawfully on the premises.

C. The premises shall have signage displayed, in a conspicuous manner, on any and all entrances to the property, as well as on the special enclosure, warning that a Potentially Dangerous Animal is on the premises. The sign on the special enclosure shall be visible and legible from fifty feet away from the special enclosure.

D. The owner shall apply, at the owner's expense, to the Village for a special Village Potentially Dangerous Animal license and identification tag.

E. The Police Department, following retraining and reassessment of the animal, and upon petition of the owner, may remove this classification for any animal so classified. An Owner shall only be allowed to file such petition for reclassification once within a calendar year.

6.12.130 - Animals in public buildings and stores and on public property during festivals.

A. It is unlawful for any animal to be in or enter any public building without the consent of the owners. At no time shall any animal enter any place where food is stored or prepared for the public.

B. It is unlawful for any animal to be in or on any public property during festivals or special events.

This section shall not apply to trained service dogs performing tasks for persons with disabilities or dogs used as part of a law enforcement program.

6.12.150 - Miscellaneous offenses.

No Owner shall permit or suffer their animal to:

A. Molest persons or vehicles by chasing or barking or biting;

B. Attack other animals;

C. Damage property other than that of the Owner;

D. Bark, whine or howl excessively;

E. Create noxious or offensive odors.

6.12.160 - Nuisance.

Any animal that repeatedly violates the provisions of this Title constitutes a nuisance.

6.12.170 - Cruelty.

A. No person or owner may abandon, cruelly beat, torment, overload, overwork, or otherwise abuse animals in a manner to cause unnecessary suffering.

B. No person shall sell, offer for sale, or give away as a pet any rabbit or fowl which has been dyed, colored, or otherwise treated to impart an artificial color thereto. Baby chicks, ducklings, goslings or turtles shall not be sold, offered for sale, bartered or given away as pets or novelties.

C. No person shall dye or color an animal with any substance that is toxic to that animal.

D. No person shall give away animals other than fish as a prize, or as an inducement to enter any competition or contest or a place of amusement; or offer such as an incentive to any business agreement for the purpose of attracting trade.

E. No person shall expose any known poisonous substance, whether mixed with food or not, so that the same is liable to be eaten by any animal; provided that it is not unlawful for a person to expose on their own property common rat poison.

6.12.180 - Birds, rabbits and squirrels.

It is unlawful for any person to kill or wound, or attempt to kill or wound, any squirrel or rabbit or bird, or for any person to take the eggs or young of any bird within the limits of the Village.

6.12.190 - Prohibition of retail sales of dogs, cats, and rabbits.

It shall be unlawful for any retail establishment in the Village to sell, offer for sale, or barter any dog, cat, or rabbit.

6.12.190.010 - Violation/penalties.

Any violation of this Chapter shall be punishable as provided in Chapter 1.08 and/or 1.12 of this Code.

Title 6 - ANIMALS

Chapter 6.04 - GENERAL PROVISIONS*

6.04.010 - Purpose.

It is the purpose of this Title to protect animals from neglect and abuse, to protect residents from annoyance and injury by animals, to assure that animal owners are responsible and in control of their animals at all times, to assist in providing housing for animals in the custody of the Village, to cover the cost of licensing and caring for animals and to establish a program to discourage the excessive multiplication of animals.

6.04.020 - Definitions.

For the purposes of this Title, the definitions set forth in this section shall apply:

A. "Animal" means every living creature, domestic or wild, not including human beings.

B. "Animal Control Center" means a place designated by the Village Police Department for the housing of animals in the temporary custody of the Village.

C. "Dangerous ~~animal~~Animal" means:

1. Any animal which has inflicted injury on, or has bitten a human being without provocation on public or private property; or
2. Any animal which has attacked a domestic animal without provocation while off the owner's property, unless the animal is found to be "potentially dangerous" under the provisions of subsection J; or
3. Any individual animal with a known propensity, tendency or disposition to attack without provocation, to cause injury or to otherwise endanger the safety of human beings or domestic animals; or
4. ~~Any individual animal that has a trait or characteristic and a generally known reputation for viciousness, dangerousness or unprovoked attacks on human beings or other animals, unless handled in a particular manner or with special equipment, excluding dogs used as part of a law enforcement program; or~~

~~5.~~ Any dog owned or harbored primarily or in part for the purpose of dog fighting or any dog trained for dog fighting; and

~~6~~5. Represents a significant threat to the health or safety of the public.

Dangerous ~~animals~~Animals shall not be classified in a manner that is specific to breed.

No dog shall be deemed a ~~dangerous animal~~Dangerous Animal if it is a dog owned by a law enforcement agency.

D. "Found to be a ~~dangerous animal~~Dangerous Animal" means:

1. A member of the Police Department has conducted an investigation and made a finding, in writing, that the animal is a ~~dangerous animal~~Dangerous Animal as defined in this section and the owner of the animal having been notified in writing has not appealed the finding of the Police Department to the Hearing Board within five days of mailing by recognized overnight courier of such notice; or
2. The owner of an animal ~~found~~Found to be a ~~dangerous animal~~Dangerous Animal by a member of the Police Department has appealed such finding to the Hearing Board within five days of mailing by recognized overnight courier of such notice and the Hearing Board has sustained the finding of the Police Department; or

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3. The Circuit Court has found the animal to be a ~~dangerous animal~~Dangerous Animal as defined in this section and has entered an order based on that finding; or
4. The Circuit Court has found the dog to be a vicious dog as defined in the Illinois Animal Control Act and has entered an order based on that finding; and
5. Represents a significant threat to the health or safety of the public. If the owner of a ~~found~~Found to ~~be dangerous animal~~Be Dangerous Animal is in the process of appealing the finding of the Police Department and a decision has not yet been reached by the Animal Control Hearing Board, the owner shall pay the tag fee set forth in ~~Chapter 1.16~~Appendix A of this Code.

E. "Found to be a ~~potentially dangerous animal~~Potentially Dangerous Animal" means:

1. A member of the Police Department has conducted an investigation and made a finding, in writing, that the animal is a ~~potentially dangerous animal~~Potentially Dangerous Animal as defined in this section and the owner of the animal having been notified in writing has not appealed the finding of the Police Department to the Hearing Board within five days of mailing by recognized overnight courier of such notice; or
2. The owner of a dog found to be a potentially dangerous dog by a member of the Police Department has appealed such finding to the Hearing Board within five days of mailing by recognized overnight courier of such notice and the Hearing Board has sustained the finding of the Police Department; or
3. The Circuit Court has found the animal to be a ~~potentially dangerous animal~~Potentially Dangerous Animal as defined in this section and has entered an order based on that finding; and
4. May represent a significant threat to the health or safety of the public. If the owner of a ~~found~~Found to be ~~potentially dangerous animal~~Potentially Dangerous Animal is in the process of appealing the finding of the Police Department and a decision has not yet been reached by the Animal Control Hearing Board, the owner shall pay the tag fee set forth in ~~Chapter 1.16~~Appendix A of this Code.

F. "Has bitten" means has been seized with the teeth or jaws so that the person seized has been nipped, gripped, wounded or pierced.

G. Hearing Board. The Village Manager, or a designee of the Village Manager, shall ~~select a board of three individuals which~~appoint an administrative law judge to act as the Hearing Board. Hearings shall take place during regularly scheduled administrative adjudication hearings. The Police department may ~~consist of the Village Manager, or a designee of the Village Manager, the Village Trustee Liaison to the Health Commission and the Village Health Officer~~request a special hearing where circumstances indicate exigences may exist.

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H. "Owner" means any person who:

1. Has a right of property in an animal;
2. Keeps an animal; or
3. Has an animal in ~~his or her~~their care, custody or control; or
4. Knowingly permits an animal to remain on or about any premises occupied by ~~him or her~~themselves.

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~~I. "Pit Bull Terrier" means the American Pit Bull Terrier breed of dog, the Staffordshire Bull Terrier breed of dog, the American Staffordshire Terrier breed of dog, or any dog which predominately possesses the physical characteristics of the American Pit Bull Terrier breed, the Staffordshire Bull Terrier breed, or the American Staffordshire Terrier breed of dog, or any dog exhibiting a majority of the distinguishing characteristics which substantially conform to the standards established by the American Kennel Club or the United Kennel Club for any of these breeds.~~

J. "Potentially ~~dangerous~~ Dangerous Animal" means any animal~~" means any animal~~ which~~,~~:

1. When unprovoked, chases or approaches a person upon any public or private property in a menacing fashion or apparent attitude of attack; or
2. Has attacked a domestic animal without provocation while off the ~~owners~~Owners property; and
3. May represent a significant threat to the health or safety of the public.

No dog shall be deemed a ~~potentially dangerous animal~~Potentially Dangerous Animal if it is a dog owned by a law enforcement agency.

~~K. "Rottweiler" means the Rottweiler breed of dog, or any dog exhibiting a majority of the distinguishing characteristics which substantially conform to the standards established by the American Kennel Club or the United Kennel Club for the Rottweiler breed of dog.~~

L. "Run at large" means a dog free of restraint and off the premises of the owner.

M. "Special enclosure" means a structure of at least five feet in height, but no higher than six feet in height with secure sides, top and bottom forming or causing an enclosure suitable to prevent the entry of young children, and suitable to confine an animal in conjunction with other measures which may be taken by the owner or keeper. Such enclosure shall be located a minimum of twenty feet from any lot line and shall be securely closed and locked whenever the animal is enclosed within the structure. Such enclosure shall have a self-closing and self-latching gate and shall be securely locked, in a manner that ensures that only authorized persons may open it with a key, code or similar security device and the enclosure shall be so designed, installed and maintained with secure sides, top and bottom designed to prevent the animal from escaping from the enclosure. If the enclosure is a room within a residence, it cannot have direct ingress from or egress to the outdoors unless it leads directly to an enclosed pen and the door must be locked.

6.04.030 - Hearing Board—Authority and procedures.

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A. The Hearing Board shall have the power and authority to:

1. Hear an appeal by an ~~owner~~Owner, of the Police Department's finding of a ~~dangerous animal~~Dangerous Animal, or a ~~potentially dangerous animal~~Potentially Dangerous Animal;
2. Conduct a hearing on the reclassification of a ~~found~~Found to be ~~potentially dangerous animal~~Potentially Dangerous Animal;
3. Sustain, overrule or modify the Police Department's finding of ~~found~~Found to ~~be~~Be a ~~potentially dangerous animal~~Potentially Dangerous Animal, or ~~found~~Found to ~~be~~Be a ~~dangerous animal~~Dangerous Animal;
4. Impose limitations, restrictions, or additional requirements on animals ~~found~~Found to be ~~dangerous~~Dangerous, or ~~found~~Found to be ~~potentially dangerous~~Potentially Dangerous or the owners thereof.

B. During the Hearing Board's hearing, the ~~owner~~Owner shall have the opportunity to present evidence that the animal is not a ~~dangerous animal~~Dangerous Animal, a ~~potentially dangerous animal~~Potentially Dangerous Animal or that the animal has been rehabilitated.

6.04.040 - Rehabilitation and reclassification of a found to be potentially dangerous animal.

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A. No petition for the reclassification of a ~~found~~Found to ~~be~~Be a ~~potentially dangerous animal~~Potentially Dangerous Animal will be considered for reclassification within one hundred eighty days of the finding by the Police Department, or the finding of the Hearing Board.

B. After said one hundred eighty day time period the owner may petition the Police Department to have the designation "~~found~~Found to ~~be potentially dangerous~~Be Potentially Dangerous" removed.

C. In order to be considered rehabilitated the following factors shall be reviewed:

1. An analysis of any reported incidents since the initial finding and designation of potentially dangerous.
2. A field investigation by the Police Department.
3. Written certification by an animal trainer, animal behaviorist or a veterinarian as approved by the Village Health Officer.
4. Written finding by the Police Department that the animal no longer meets the definition of a ~~potentially dangerous animal~~Potentially Dangerous Animal as set forth in this Title.

D. An owner shall have the right to petition the Hearing Board within seven days of the Police Department's denial of reclassification.

6.04.050 - Violation—Penalty.

Any person violating the provisions of this Title shall be punished according to the provisions of Chapter 1.08 unless otherwise stated herein.

Chapter 6.08 - IMPOUNDMENT

6.08.010 - Authority—Cause.

A. The Village may impound any ~~dangerous animal, potentially dangerous animal~~Dangerous Animal, Potentially Dangerous Animal, dog running at large, or any animal maintained in violation of this Title.

B. A member of the Police Department, for the purpose of carrying out the provisions of this Title, may enter upon private premises to apprehend a ~~dangerous animal~~Dangerous Animal, an animal ~~found~~Found to be a ~~dangerous animal~~Dangerous Animal, a ~~potentially dangerous animal, an animal found to be a potentially dangerous animal~~Potentially Dangerous Animal, or any animal maintained in violation of this Title. If after request therefor, the owner of such animal shall refuse to deliver the animal to the officer the owner shall be in violation of this Title.

C. If any animal cannot be safely taken and impounded when necessary for the protection of any person, including the police officer, or property, such animal may be slain by the police officer or person authorized by the Village; provided, however, that in all cases where any animal so slain has bitten any person or caused an abrasion to the skin of such person, effort should be made not to cause injury to the head of the animal and it shall be the duty of the person slaying the animal to immediately deliver the carcass to a licensed veterinarian to prepare the head and brain for delivery to the Cook or Lake County Rabies Control Department.

6.08.020 - Notice to owner.

Upon impoundment of any animal the Police Department shall notify the ~~owner~~Owner (if known) of the impoundment. Said notification shall be by means of telephone, personal contact or by mail. Such notice shall inform the owner of the procedure to regain custody of the animal.

6.08.030 - Redemption.

A. Any animal ~~found~~Found to ~~be~~Be a ~~dangerous animal~~Dangerous Animal shall be impounded and thereafter may be destroyed in a humane fashion.

B. If the owner of an animal, which has been ~~found~~Found to be ~~potentially dangerous~~Potentially Dangerous and subsequently found not to be confined as set forth in Section 6.12.120, does not appeal the Village's impoundment of the animal to the Hearing Board within two days of impounding the animal, the animal may be destroyed in a humane fashion. An animal ~~found~~Found to be ~~potentially dangerous~~Potentially Dangerous, subsequent to impoundment, shall not be released to the ~~owner~~Owner until the ~~owner~~Owner complies with the requirements of Section 6.12.120.

C. Any other animal impounded under the provisions of this Title may be redeemed at the Animal Control Center by the owner within five days of impoundment, upon the payment to the Village of the fees as set forth in ~~Chapter 1.16~~Appendix A of this Code.

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Attachment: Title 6 - Animals Redline (Code Review Title 6)

D. Sundays and holidays shall be counted as days for the purpose of this section. The payment of the fees provided for in this section shall be in addition to any fines levied by the circuit court. The release of any impounded animal shall be contingent upon proof of valid rabies vaccination.

6.08.040 - Disposition of animals not redeemed.

Any animal not redeemed, as provided herein, shall be destroyed in a humane fashion unless the animal can be placed for adoption or placed with a humane society. No animal ~~found~~Found to be a ~~dangerous animal~~Dangerous Animal or ~~found~~Found to be a ~~potentially dangerous animal~~Potentially Dangerous Animal shall be placed for adoption.

6.08.050 - Impounded animals—Interference.

No unauthorized person shall interfere with the impounding of any animal, or shall release~~,~~ any animal that has been impounded by the Village.

Chapter 6.12 - CARE AND CONTROL*

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6.12.010 - Rabies vaccination.

It is the duty of all persons owning or keeping a dog or cat, 4 months or more of age, to have such animals ~~vaccinated~~inoculated against rabies. ~~The rabies vaccination shall be given in an amount sufficient to provide immunities from rabies for not to exceed three years and shall be administered~~ by a licensed veterinarian. Every dog and cat shall have a second rabies vaccination within one year of the first. Terms of subsequent vaccine administration and duration of immunity must be in compliance with USDA licenses of vaccines used.

~~6.12.020 - Reserved.~~

6.12.030 - Unauthorized removal of collars, tags, muzzles.

It is unlawful for any person, other than a member of the Police Department, licensed veterinarian or ~~owner~~Owner, or any person operating under the direction of any of the forgoing, to remove the collar, license tag or muzzle from any dog or cat within the Village without the consent of the owner of such animal.

6.12.040 - Animal care.

Each owner shall provide for each animal:

A. Sufficient quantity of good and wholesome food and water;

B. Adequate shelter and protection from the weather;

C. Veterinary care when needed to prevent suffering; and

D. Humane care and treatment.

E. If tethered, the owner shall ensure the dog:

1. Is monitored in a fashion to ensure that the life and health of the dog is not endangered.
   a. The tether must allow the dog to sit, lie down, and stand comfortably without the restraint becoming taut and allow the dog a range of movement;
   b. The dog must have access to an area it can avoid standing water and exposure to excessive excrement.
2. does not suffer from a known condition that is exacerbated by tethering;
3. is tethered in a manner that will prevent it from becoming entangled with other tethered dogs;
4. is not tethered with a lead that exceeds one-eighth of the dog's body weight or is a tow chain or log chain;
5. is tethered with a lead that measures at least 10 feet in length;
6. is tethered with a properly fitting harness or collar other than the lead or a pinch, prong, or choke-type collar; and
7. is not tethered in a manner that will allow it to reach within the property of another person, a public walkway, or a road.

6.12.050 - Female dogs or cats in heat.

Any person in control of a female dog or cat in heat shall confine such dog or cat in an enclosed area so as to preclude other dogs or cats from being attracted to or coming in contact with such female animal, except for planned breeding.

6.12.060 - Responsibility for the removal of excrement.

A. The ~~owner~~Owner of every animal shall be responsible for the removal and sanitary disposal of any excrement deposited by the animal anywhere in the Village. The excrement shall be removed according to the following:

1. Excrement deposited on any public property within the Village shall be removed immediately.

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2. Excrement deposited on any private property shall be removed within seventy-two hours.
3. Excrement deposited on any private property without the consent of the property owner shall be removed immediately.

B. Animal excrement shall not be deposited in the storm sewer.

6.12.070 - Unlawful to run at large.

A. It is unlawful for an owner to permit a dog, except on a leash controlled by the owner or a responsible person, to use or be upon any public street, sidewalk, parkway, public area or unenclosed premises within the Village. No leash shall be longer than eight feet in length. ~~Unsupervised tethering of dogs is discouraged. Tethers~~Leashes, if used, shall be of sufficient strength and material to constrain the animal. ~~Retractable leashes, when used, shall not be extended over eight feet in length.~~

B. The ~~owner~~Owner of every animal shall be in control of the animal at all times.

C. It is unlawful for any dog to run at large in the Village.

D. It is unlawful for any dog, cat or other domestic animal to enter upon the property of another without the consent of the property owner. Members of the Police Department or an Animal Control Officer may impound any animal that is found in violation of this section.

6.12.080 - Limitation on number of animals.

A. No person shall keep more than one pigeon, or more than four (in the aggregate) ~~of the following: rabbits,~~ guinea pigs~~,~~ or gerbils in the Village, except in ~~pet shops~~a licensed retail establishment.

B. No person shall keep or permit more than a total of four dogs and/or cats and/or rabbits over the age of four months to be or remain in or about any detached single-family residence, rooming house, building or lot, or more than a total of two dogs and/or cats and/or rabbits in any other type of residence within the Village ~~except in pet shops.~~.

C. The limitations of this section shall not apply to the following animals if kept as pets: caged birds (except for pigeons or fowl) and fish.

6.12.090 - Prohibited animals.

It is unlawful to keep any animal ~~found~~Found to be a ~~dangerous animal~~Dangerous Animal, protection dog, guard dog (except by special permit), pigs, swine, sheep, cattle, horses, goats, fowl, hens, chickens, roosters or other similar animals, or any naturally wild animals, except birds or fish, within the Village.

6.12.095 - Exceptions.

A. Sections 6.12.080, 6.12.090 and 6.12.130 shall not apply to dogs owned by a law enforcement agency, zoological parks, performing animal exhibitions, educational institutions, veterinary hospitals or animal shelters.

B. With prior approval of the Village Manager, Section 6.12.070 shall not apply to dogs used to control Canada geese on public property owned by a municipality, park district or school district.

6.12.100 - Diseased animals.

No domestic animal afflicted with a contagious disease or an infectious disease shall be allowed to run at large or to be exposed in any public place where the health of other animals or a human being may be affected.

6.12.110 - Animal bites.

If an animal has bitten a person, the Police Department shall notify the owner of the animal of the steps that must be taken under the Rabies/Animal Control Ordinance of the county in which the bite took place, and of any other applicable statute. If the owner is not known, the police officer or animal control officer shall take such animal as soon as practicable to a licensed veterinarian or the proper animal shelter of the county in which the bite took place for observation and/or confinement as required by applicable county ordinances.

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6.12.120 - Found to be potentially dangerous animals.

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A. No owner shall permit any animal ~~found~~Found to be a ~~potentially dangerous animal~~Potentially Dangerous Animal to be allowed off the owner's premises, except as follows:

1. When it is securely muzzled, on a six-foot nonretractable leash and within the control of a person eighteen years of age or older; or
2. When it is caged.

B. Animals ~~found~~Found to be ~~potentially dangerous~~Potentially Dangerous, while on the premises of the owner, shall be:

1. Confined within the owner's home; or
2. Muzzled, and so restrained so as to be unable to leave the owner's premises; or
3. Confined within a "special enclosure" so that the animal cannot attack persons lawfully on the premises.

C. The premises shall have signage displayed, in a conspicuous manner, on any and all entrances to the property, as well as on the special enclosure, warning that a ~~potentially dangerous animal~~Potentially Dangerous Animal is on the premises. The sign on the special enclosure shall be visible and legible from fifty feet away from the special enclosure.

D. The owner shall apply, at the owner's expense, to the Village for a special Village ~~potentially dangerous animal~~Potentially Dangerous Animal license and identification tag.

E. The Police Department, following retraining and reassessment of the animal, and upon petition of the owner, may remove this classification for any animal so classified. An ~~owner~~Owner shall only be allowed to file such petition for reclassification once within a calendar year.

~~6.12.125 - Rottweilers and Pit Bull Terriers.~~

~~Owners of Rottweilers and Pit Bull Terriers shall comply with the following requirements:~~

~~A. No owner shall permit a Rottweiler, or a Pit Bull Terrier, off of the owner's premises unless it is on a nonretractable leash no longer than six feet in length.~~

~~B. No owner shall permit a Rottweiler, or a Pit Bull Terrier, off of the owner's premises except when it is in the care and control of the owner, or a family member, sixteen years of age or older.~~

~~C. The owner of a Rottweiler, or a Pit Bull Terrier:~~

~~1. Within one year of obtaining a Village license thereon, shall be required to install a "special enclosure," or enclose the yard with a fence, and to keep the animal within the "special enclosure," or fence, at all times the animal is not within the owner's residence; or~~

~~2. Shall keep the animal on a nonretractable leash no longer than six feet in length and in the care and control of the owner, or a family member, sixteen years of age or older, at all times the animal is not within the owner's residence.~~

~~D. A fenced yard shall meet the following requirements:~~

~~1. The fence shall be a minimum of five feet in height, and~~

~~2. All gates shall be equipped with self-closing and self-latching mechanisms designed to securely close and lock the gate.~~

~~E. The owner of a Rottweiler, or a Pit Bull Terrier shall display Village-approved signage on all entrances to the property. Such sign shall state "Beware of Dog" and shall be displayed in a conspicuous manner.~~

6.12.130 - Animals in public buildings and stores and on public property during festivals.

A. It is unlawful for any ~~dog, even though on a leash,~~ animal to be in or enter any public building~~, food establishment, or any retail or wholesale establishment, except a retail store for the sale~~ without the consent of ~~animals, anywhere within~~ the ~~Village during the~~owners. At no time ~~that any of said places are open for use by the public. This section~~ shall ~~not apply to animal hospitals, veterinary offices, kennels,~~ any animal ~~boarding facilities, or pet resort facilities~~enter any place where food is stored or prepared for the public.

B. It is unlawful for any ~~dog, even though on a leash,~~animal to be in or on any public property during festivals~~,~~ or special events.

This section shall not apply to trained service dogs ~~leading special needs~~performing tasks for persons with disabilities or dogs used as part of a law enforcement program.

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6.12.150 - Miscellaneous offenses.

No ~~owner~~Owner shall permit or suffer ~~his or her~~their animal to:

A. Molest persons or vehicles by chasing or barking or biting;

B. Attack other animals;

C. Damage property other than that of the ~~owner~~Owner;

D. Bark, whine or howl excessively;

E. Create noxious or offensive odors.

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6.12.160 - Nuisance.

Any animal that repeatedly violates the provisions of this Title constitutes a nuisance.

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6.12.170 - Cruelty.

A. No person or owner may abandon, cruelly beat, torment, overload, overwork, or otherwise abuse animals in a manner to cause unnecessary suffering.

B. No person shall sell, offer for sale, or give away as a pet any rabbit or fowl which has been dyed, colored, or otherwise treated to impart an artificial color thereto. Baby chicks, ducklings, goslings or turtles shall not be sold, offered for sale, bartered or given away as pets or novelties.

C. No person shall dye or color an animal with any substance that is toxic to that animal.

D. No person shall give away animals other than fish as a prize, or as an inducement to enter any competition or contest or a place of amusement; or offer such as an incentive to any business agreement for the purpose of attracting trade.

E. No person shall expose any known poisonous substance, whether mixed with food or not, so that the same is liable to be eaten by any animal; provided that it is not unlawful for a person to expose on ~~his or her~~their own property common rat poison.

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6.12.180 - Birds, rabbits and squirrels.

It is unlawful for any person to kill or wound, or attempt to kill or wound, any squirrel or rabbit or bird, or for any person to take the eggs or young of any bird within the limits of the Village.

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6.12.190 - Prohibition of retail sales of dogs, cats, and rabbits.

It shall be unlawful for any ~~Pet Store~~ retail establishment in the Village to sell, offer for sale, or barter any dog, cat, or rabbit. ~~Pet Store is defined as a retail establishment where dogs, cat and/or rabbits are sold, bartered or offered for sale as pet animals to the general public at retail.~~

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6.12.190.010 - Violation/penalties.

Any violation of this Chapter shall be punishable as provided in ~~Section~~ [Chapter] 1.08 and/or 1.12 of this Code.

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Information Item : 2022 5-Year General Fund Forecast

Recommendation of Action

Staff recommends discussion.

The purpose of the five year general fund operating forecast is to provide a basis for the Village of Buffalo Grove make informed, operational decisions through strategic forecasting to anticipate of future revenues and expenditures. The fiscal year 2023 through 2027 General Fund Forecast is attached.

ATTACHMENTS:

- Five Year General Fund Forecast 2023-2027 (DOCX)

Trustee Liaison
Weidenfeld

Staff Contact
Chris Black, Finance

Monday, June 6, 2022	

Village of Buffalo Grove - General Fund Financial Forecast

FY 2023 – FY 2027

Village of Buffalo Grove

A Financial Assessment of General Fund
Revenues and Expenditures

OVERVIEW AND SUMMARY

The purpose of the Five-Year Operating Forecast is to help the Village of Buffalo Grove make informed, operational decisions by better anticipating future revenues and expenditures. Using the forecasted data, the Village can plan strategies for providing a consistent, appropriate level of service to the customers while ensuring the revenues and expenditures remain in a sustainable balance. The primary objective of the forecast is to provide the Village Board and related stakeholders with an early financial assessment and identify significant issues that should be addressed in the budget development process. For the purposes of constructing the forecast, operating revenues are measured against operating expenditures without including any prior period fund balance to subsidize revenue.

The goals of the forecast are to assess the Village's ability, over the next five years, to maintain current service levels based on projected revenue growth, evaluate future sustainability by aligning operating revenues and expenditures, and ensure proper funding of infrastructure reserves. The assessment analyzes the capacity to fund capital projects and maintain an unassigned fund balance reserve at three months of budget expenditures (25%).

> The intent of the Five Year Operating Forecast is to evaluate resource allocations to ensure the proper funding levels for services, capital, infrastructure and maintaining reserves.

It is important to stress that this forecast is not a budget. It does not dictate expenditure decisions; rather it identifies the need to prioritize allocations of Village resources. The forecast sets the stage for the budget process and aids both staff and the Village Board in establishing priorities and allocating resources appropriately.

As a governmental entity, changes in strategy that involve service delivery should be slow and methodical. The forecast provides a snapshot of the Village's fiscal health based on numerous assumptions over the next five years. The forecast is a planning tool and should be considered fluid in its construction. As new significant data or trends emerge the document will be revised, at minimum, on an annual basis.

In each of the five years, revenues offset operating expenses and the budgets are anticipated to be in balance. However, expenses are expected to outpace average annual revenue growth by 1.2 percent per year. After including amounts necessary for reserves and capital, there is a shortfall every year of the forecast. This illustrates the need to continue efforts to finance capital improvements, as well as operating efficiently and review revenue sources for adequacy, efficiency, and diversification.

FORECAST METHODOLOGIES AND ASSUMPTIONS

REVENUES

The General Fund is the main operating fund and accounts for the core public services provided by the Village including public safety (police & fire), public works, community development, as well as operations that support core services. All major discretionary revenues such as property tax, sales tax, income tax, telecommunication excise tax, and utility use tax are accounted for within the General Fund. The Finance Department works with departments responsible for administering the service and/or collecting the associated revenue to develop program revenues.

EXPENDITURES

Expenditures assumed in the forecast are based on the current service levels. No additional staffing has been included in the estimates. Actual expenditures for 2021 and the 2022 budget amounts are the basis for the five-year estimates. The General Fund is the primary focus of the forecast because it represents over half of the total Village Budget. The second largest Village Fund is the Water and Sewer Fund accounting for 21.1 percent of the total budget. A twenty-year funding analysis is completed annually for that enterprise activity.

In the absence of any known service level modifications, the forecast assumes the continuation of current service levels and the costs projected over five years. Revenues are estimated based on anticipated growth and does not consider increases in revenues generated by new fees or increases in fees, new development, or charges beyond what is prescribed by current ordinance.

ECONOMIC OUTLOOK

In the development of a long-term financial forecast, the Village reviews external and internal factors that could impact the either the collection of revenue or the price of acquiring goods or providing services. Evaluating how the regional impact of the national economy (macro) influences the local economy (micro) is an important step in the process.

The Village, like many other communities, suffered a major economic decline following the onset of the COVID-19 pandemic followed by a strong economic recovery. The Village experienced a combined loss of $1.4 million in state sales tax and home rule sales tax. However, a financial plan to reduce operating expenses to mitigate the use of financial reserves was implemented. In FY 2021, major revenue sources rebounded from the previous year's decline. As a result, the Village was able to increase its reserves for capital improvements.

The national economy affects both state and local economies, although this impact varies by jurisdiction and may actually have an inverse effect on a community. Some of the economic indicators the Village uses in financial analysis include: inflation, stock market returns, employment, housing starts, vehicle sales, interest rates, and manufacturing activity.

ECONOMIC INDICATORS - NATIONAL

Inflation – The Consumer Price Index (CPI), commonly referred to as the inflation rate, measures the average price change for a market basket of consumer goods and services. The Bureau of Labor Statistics classifies each expenditure item in the basket into more than 200 categories catalogued into eight major groups. The Consumer Price Index is used as the inflationary factor for specific non-personnel services.

As inflation goes up, the cost of goods sold go up, increasing retail sales tax revenue. As prices rise, so will business income tax receipts. Conversely, the Village will have to pay more for goods and services. The most recent (April 2022) Consumer Price Index is at 8.3 percent, which is the highest level in nearly 40 years.

Stock Market Returns – Stock market returns are a leading indicator and will change before the economy changes. Approximately 65 percent of all Village pension funds are invested in mutual funds and/or individual stocks. The performance of the stock market is a significant factor in determining the growth of the property tax levy for pensions. It is assumed the pension funds will earn seven percent annually through investment returns.

Employment – Retail and vehicle sales tend to have inverse relationships with the unemployment rate. Sales tend to move in the opposite direction of the unemployment rate. Chronic unemployment often spills over into the residential real estate market resulting in lost real estate transfer tax revenue.

Housing Market - This indicator provides a sense of the overall demand for housing, which can be indicative of local housing activity. Data maintained by local realtor groups is useful in projecting the future of market recoveries.

Vehicle sales – Sales and use tax revenues tend to fall with vehicle sales, which are heavily dependent upon both employment and interest rates. However, if increases in sales of new vehicles are expected to reduce the value of used vehicles, the sales and use tax base can actually decline if the depreciation of used vehicles is not equally offset by the value of new vehicles.

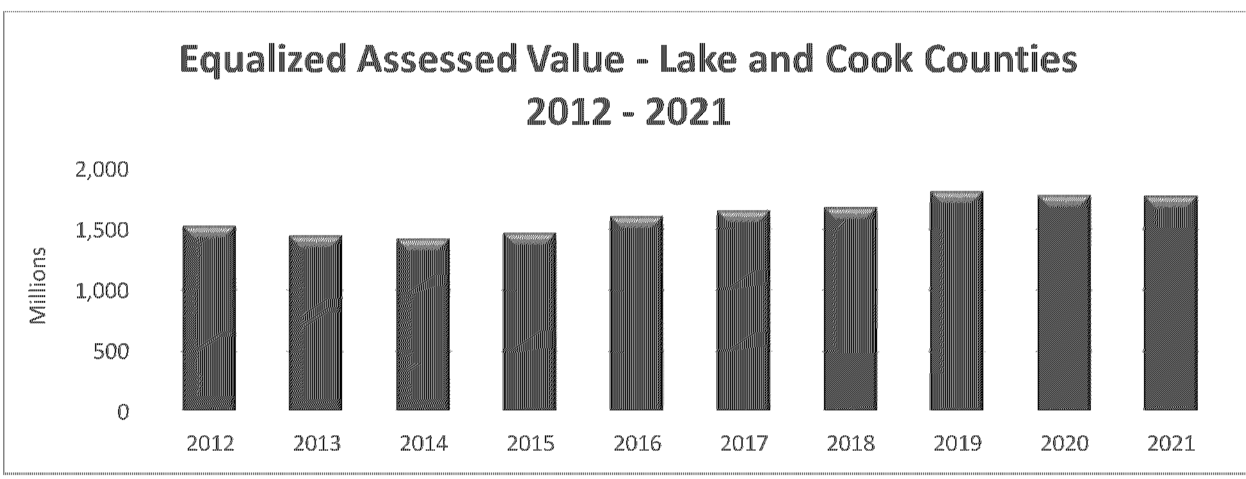
Interest rates – The interest rate impacts the Village's revenues in several ways. First, investment income will be affected by interest rates. Second, the availability and cost of capital directly affects business expansion and retail purchases. As credit is extended and/or rates are lowered, revolving purchases may increase, thereby increasing development plans and retail sales and, by extension, sales tax and business licenses revenues.

Manufacturing activity – If a Village has a large manufacturing sector, the ISM (Institute of Supply Management Index) becomes a significant factor in revenue analysis and forecasting. Manufacturers respond to the demand for their products by increasing production and building up inventories to meet the demand. The increased production often requires new workers which lowers unemployment figures and can stimulate the local economy.

ECONOMIC INDICATORS - LOCAL

Although national economic indicators do have some trickle-down impact on the Village Budget, there are regional and local economic factors that have a direct influence over revenues and expenditures. Some of those factors that have been considered moving into the next five year update include:

- *Impact of the Real Estate Market and Assessed Valuations*. Assessed values for taxable property continue with positive growth. Lake County property values declined by 0.47 percent in FY 2021, while Cook County property values are anticipated to increase slightly once valuations are reported by the county. See the chart below to see the ten-year, combined county, history of equalized assessed values.



- *State of Illinois Legislation*. As the State of Illinois has experience financial difficulties over the last decade, staff continues to monitor legislative discussions that could have a direct financial impact on Village revenues.

- *Impact of Employer Pension Costs*. The tax levies for the three pension systems account for 44.5 percent of the property tax levy. Additional pressure on the tax levy to support growing pension costs will impact the ability to increase taxes for core services. Bond rating agencies continue to site pension obligations as a downward pressure on the Village's ability to maintain the Aaa rating with S&P.

- *Health Care Inflation.* After wages, health care costs are the single largest expenditure category in the fund and the Village continually reviews the structure of the plan to limit the amount of growth on an annual basis. The Village is a member of the Intergovernmental Personnel Benefits Cooperative (IPBC). This insurance pool helps to dilute risk and helps to leverage purchasing power.

- *Commercial/Retail Development*. The economy's impact on existing sales tax generators as well as development or redevelopment of Dundee, Milwaukee Road corridors and Lake Cook Corridors continues to be an important cog in economic development. With the adoption of the Lake Cook Road TIF, the Village has seen several new projects get completed such as the NCH Office Building and future projects such as the $150 million Clove Development.

- *Infrastructure.* The ability to keep pace with the maintenance needs of Village owned assets continues to be a significant financial challenge. The Village owns and maintains $240 million in capital assets, excluding depreciation, across all activities.

Listed below is the five year update to the General Fund Forecast. The remainder of the report will describe the methodologies used to develop both revenues and expenditures.

GENERAL FUND FIVE-YEAR FORECAST – OPERATING

Revenue	2023	2024	2025	2026	2027	Growth
Property Taxes	17,115,900	17,458,218	17,807,382	18,163,530	18,526,801	**1.02**
Income & Use Taxes	6,641,200	6,807,230	6,977,411	7,151,846	7,330,642	**1.025**
State Sales Tax	7,935,900	8,134,298	8,337,655	8,546,096	8,759,749	**1.025**
Home Rule Sales Tax	5,612,000	5,724,240	5,838,725	5,955,499	6,074,609	1.02
Real Estate Transfer Tax	1,019,700	1,050,291	1,081,800	1,114,254	1,147,681	1.03
Telecommunications Tax	720,000	720,000	720,000	720,000	720,000	**1.00**
Prepared Food and Beverage Tax	772,500	795,675	819,545	844,132	869,456	1.03
Utility Tax-Electric/Natural Gas	2,650,000	2,650,000	2,650,000	2,650,000	2,650,000	1.00
Licenses	355,600	355,600	355,600	355,600	355,600	1.00
Building Revenue & Fees	1,141,350	1,152,764	1,164,291	1,175,934	1,187,693	1.01
Intergovernmental Revenue-Local	237,100	241,842	246,679	251,612	256,645	1.02
Fines & Fees-Police & Fire	1,702,700	1,719,727	1,736,924	1,754,294	1,771,836	1.01
Storm Water Management Fees	1,140,000	1,140,000	1,140,000	1,140,000	1,140,000	1.00
Operating Transfers	780,000	780,000	780,000	780,000	780,000	1.00
Cable Franchise Fees	735,000	735,000	735,000	735,000	735,000	1.00
Miscellaneous Revenue	1,197,600	1,209,576	1,221,672	1,233,888	1,246,227	1.01
Total Revenues	49,756,550	50,674,460	51,612,684	52,571,685	53,551,940	
Annual Increase	1.1%	1.8%	1.9%	1.9%	1.9%	
Expenditure	**2023**	**2024**	**2025**	**2026**	**2027**	**Growth**
Personal Services	23,655,088	24,364,741	25,095,683	25,848,554	26,624,010	1.03
Personal Benefits	12,082,659	12,445,139	12,818,493	13,203,048	13,599,139	1.03
Operating Expenses	3,437,522	3,506,273	3,576,398	3,647,926	3,720,885	1.02
Insurance & Legal Services	1,427,641	1,484,747	1,544,137	1,605,902	1,670,138	1.04
Commodities	398,259	406,224	414,349	422,636	431,088	1.02
Maintenance & Repairs	3,254,026	3,319,107	3,385,489	3,453,199	3,522,263	1.02
All Other Expenses	3,743,467	3,780,902	3,818,711	3,818,711	3,856,898	1.01
Total Expenditures	47,998,663	49,307,132	50,653,260	51,999,975	53,424,422	
Operating Surplus/(Shortfall)	1,757,887	1,367,328	959,424	571,710	127,518	

FORECAST STRUCTURE

The forecast provides three levels of analysis. The first level (above) is to show the General Fund's ability to meet day-to-day expenditures. The highlighted row design (Operating Surplus/Deficit) is an indicator of whether anticipated revenues support operating expenditures. In all five years of the forecast, revenues will support current services. This is a measure of short-term sustainability. The second level of the analysis includes transfers for capital projects and infrastructure reserves.

Long term sustainability is measured through the Village's ability to invest in infrastructure including funding reserves for vehicles, buildings, equipment, technology, streets (though State and Local Motor Fuel Tax), and projects in the Capital Improvement Plan. All projects submitted for inclusion in the FY 2022-2027 CIP have been added to this report. After including these transfers, the cumulative fund shortfall at the end of FY 2027 is estimated to be nearly $94.5 million.

GENERAL FUND FIVE-YEAR FORECAST – OPERATING WITH CAPITAL

Revenue	2023	2024	2025	2026	2027	Growth
Property Taxes	17,115,900	17,458,218	17,807,382	18,163,530	18,526,801	**1.02**
Income & Use Taxes	6,641,200	6,807,230	6,977,411	7,151,846	7,330,642	**1.025**
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Licenses	355,600	355,600	355,600	355,600	355,600	1.00
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Operating Transfers	780,000	780,000	780,000	780,000	780,000	1.00
Cable Franchise Fees	735,000	735,000	735,000	735,000	735,000	1.00
Miscellaneous Revenue	1,197,600	1,209,576	1,221,672	1,233,888	1,246,227	1.01
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Annual Increase	1.1%	1.8%	1.9%	1.9%	1.9%	

Expenditure	2023	2024	2025	2026	2027	Growth
Personal Services	23,655,088	24,364,741	25,095,683	25,848,554	26,624,010	1.03
Personal Benefits	12,082,659	12,445,139	12,818,493	13,203,048	13,599,139	1.03
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All Other Expenses	3,743,467	3,780,902	3,818,711	3,818,711	3,856,898	1.01
Total Expenditures	47,998,663	49,307,132	50,653,260	51,999,975	53,424,422	
Operating Surplus/(Shortfall)	1,757,887	1,367,328	959,424	571,710	127,518	
Annual Increase	3.8%	2.7%	2.7%	2.7%	2.7%	
Capital Transfers & Subsidies	2023	2024	2025	2026	2027	
Capital Reserve - Vehicles	2,086,000	1,797,000	1,550,000	2,133,000	1,661,000	
Capital Reserve - Facilities	7,155,000	228,000	1,335,000	13,980,000	250,000	
Capital Reserve - Technology	165,000	90,000	185,000	65,000	325,000	
Capital Reserve - Stormwater	420,000	420,000	420,000	420,000	420,000	
Street Program	12,124,000	12,395,000	12,431,000	12,417,000	4,951,040	
Capital Reserve Funding	**1,980,000**	**1,980,000**	**1,980,000**	**1,980,000**	**1,980,000**	
Total Transfers	23,930,000	16,910,000	17,901,000	30,995,000	9,587,040	
Total Fund Surplus/(Shortfall)	(22,172,113)	(15,542,672)	(16,941,576)	(30,423,290)	(9,459,522)	

The current budgeting strategy is to contribute to capital reserve programs in order to remain on a pay-as-you-go basis of capital asset financing. If reserve amounts are depleted, or inadequately funded, staff will need to consider debt financing for future expenditures.

Over the next five years it is anticipated that $47.4 million in funding, above the current forecasted amounts in the General Fund. However, the Village Board has addressed infrastructure funding needs through by the approval of increased water/sewer rates, a local motor fuel tax and adult use cannabis tax. In 2020, the Village successfully issued $24 million in general obligation bonds fund infrastructure improvements. Bond issues are planned for 2025, 2030, and 2033 to fund future improvements. The revenue enhancements and bond issue support the Infrastructure Modernization Program, a five-year strategy to invest $175 million is streets, sewer and water infrastructure.

Unfunded	2023	2024	2025	2026	2027
Street Program	10,744,000	11,015,000	11,051,000	11,037,000	3,571,040
Total Unfunded/Debt	10,744,000	11,015,000	11,051,000	11,037,000	3,571,040

RESERVES

The General Fund Reserve Policy sets forth a minimum unassigned reserve level of 25 percent of the subsequent year's budget, excluding transfers to fund capital projects. The preferred balance per the policy is 30 percent. Unassigned fund balance above the 30 percent threshold may be allocated to a reserve for debt service retirement and revenue stabilization.

It is important to maintain a strong reserve level for several reasons, (1) it provides more time to react and respond to revenue threats created by economic conditions, (2) it helps to better withstand any unfunded legislative mandates that will create additional expenditure obligations without corresponding revenue, and (3) to fund unforeseen infrastructure/capital asset costs. Spending down of prior period reserve balances allows the Village time to reallocate resources within the budget and restructure service levels to react to the fiscal environment. After drawing down on the balance to respond to emergency conditions, it is important to rebuild those reserves in order to remain flexible to respond to the next threat. Fund balance should never be used to support day-to-day operations. Absent an unforeseen economic crisis, the use of reserves to support operating expenditures represents a budget that is structurally unbalanced.

The estimated General Fund balance unassigned reserve at the end of FY 2021 is $16.4 million or 35 percent of the FY 2022 operating budget. The Village also has designated an additional $4,860,000 to the debt stabilization reserve for the early retirement of our 2012 bonds and $770,000 for revenue stabilization.

GENERAL FUND REVENUES

Approximately 81 percent of all General Fund revenue is generated from seven revenue sources including property tax, combined sales tax including prepared food and beverage, income and use tax, telecommunications tax, utility (natural gas & electricity) use tax and real estate transfer tax.

Almost half of the Village's major revenue sources are elastic. Elastic revenues are those sources that tend to fluctuate with the economy. A balance between elastic and inelastic revenue is desired as a hedge against market volatility. General Fund revenues considered to be elastic include: sales and use taxes, income taxes, real estate transfer tax, building revenue and fees, and investment income. The property tax is an example of a non-elastic source of revenue as collections are stable and predictable.

The Village continues to seek to be less reliant upon state-shared revenues (income, base sales, and telecommunication taxes) and align core services with taxes/fees under local home rule control.

PROPERTY TAX

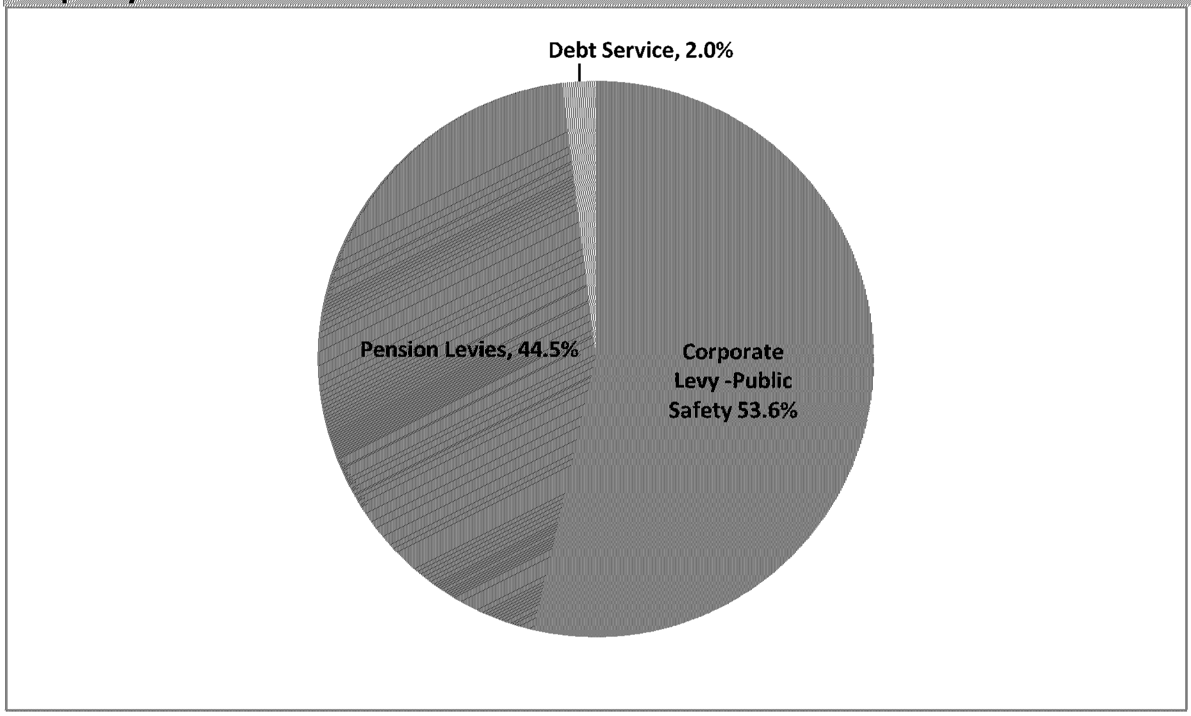
There are three components to the Village's property tax levy. The first component is the Corporate Levy. This levy helps to fund public safety (police and fire) operations. The growth in the corporate levy is tied to inflation. The second component is the Debt Service Levy. This levy covers the principal and interest payment on outstanding debt issuances. The last component is the special purpose/pension levies.

The tax levies for the three pension funds (police, Firefighters and IMRF) are calculated by independent actuaries. The levies are structured to cover the normal cost of the pension, an amortized annual amount of the unfunded actuarial liability, and the interest cost on that liability. Unfunded liability grows when actuarial assumptions are not met (interest rate) or when legislative changes (Springfield) are enacted that enhance benefits. Those legislative changes produce unfunded liabilities.

Each year the Village determines its levy amount. Since debt service payments are mandatory as are pension contributions, the amount of control the Village has over the tax levy is limited to the Corporate Levy.

Future ability to raise property tax revenue to support General Fund operations is challenging as the corporate levy must compete for tax dollars with pension and debt service levies.
See the chart below to see where property tax dollars are allocated.

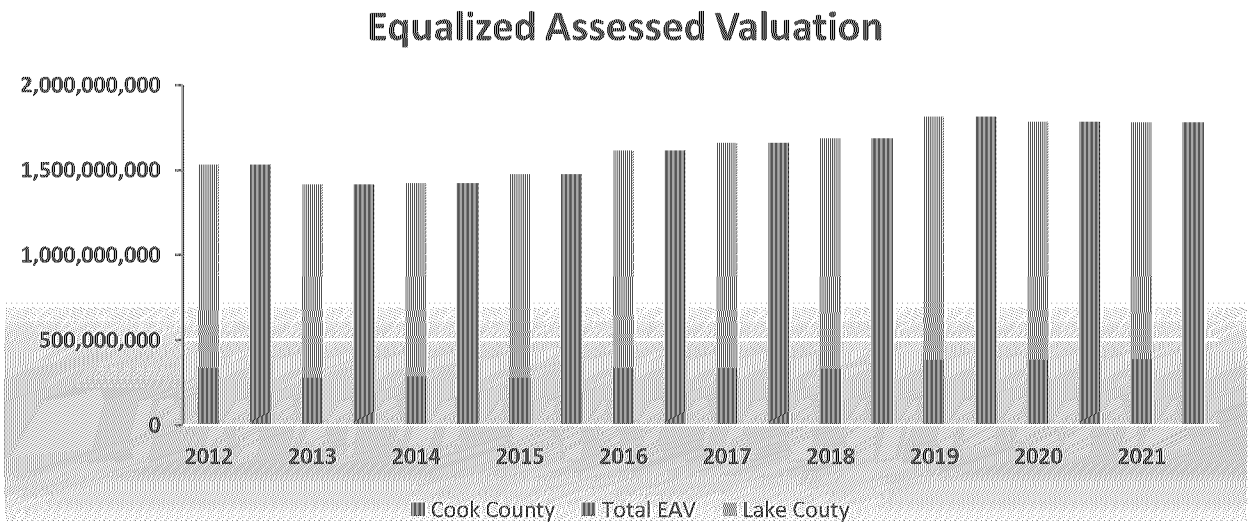
Property Tax Dollar Distribution



The levy request is then applied to the equalized assessed value of all property within the Village to determine a tax rate. Assuming the same tax levy amount, if the property values go up the rate goes down and conversely the rate goes up if the values decline.

The total equalized assessed value of property in Buffalo Grove is estimated to be $1,781,963,236 representing a 0.15 percent decrease from the previous year. The Lake County portion of the Village's EAV has decreased 0.47 percent year over year.

Equalized Assessed Valuation

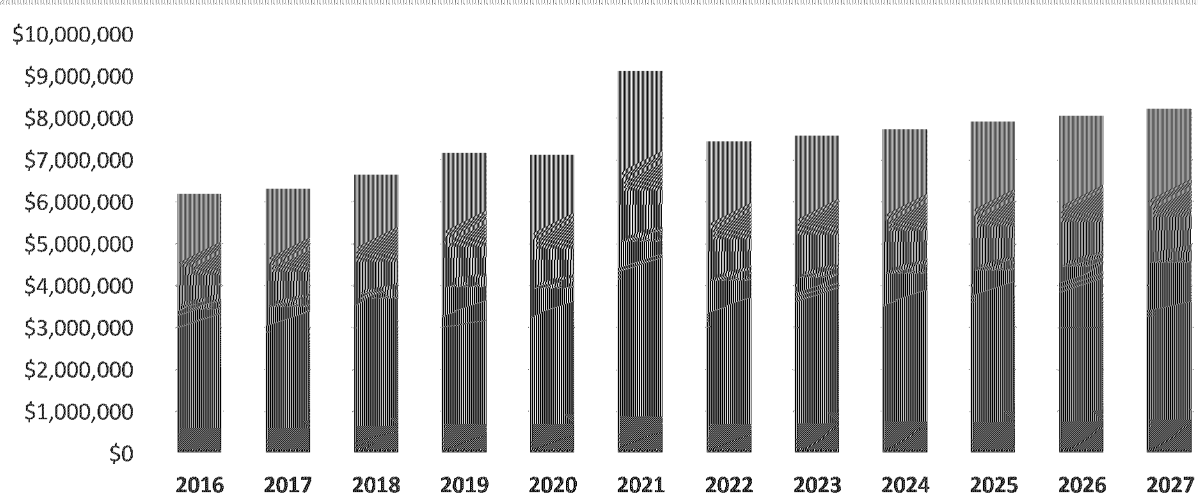


SALES TAX

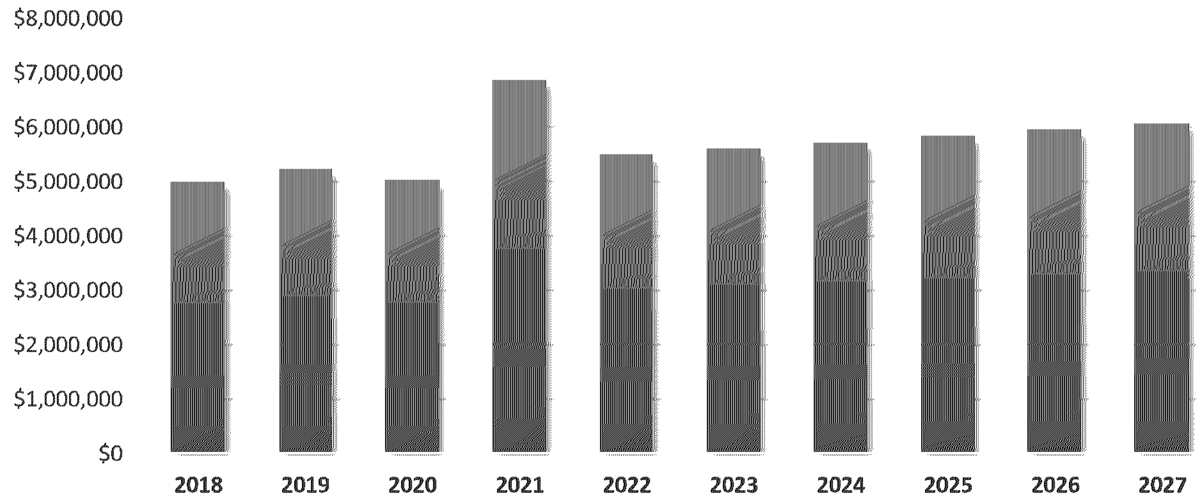
Inflation sets the growth baseline for both the base (2%) and home rule sales taxes (2%). Combined, this is the second largest revenue source for the Village. The base sales tax revenue is directly related to the dollar value of sales made within the Village. Home rule sales tax applies to the same transactions as the base sales tax except in the following transactions, food for human consumption off the premises where sold (groceries), prescription and non-prescription medicines and tangible personal property that is titled with an agency of the State of Illinois.

The assumption for the five year analysis is that the retail mix will remain substantially similar to what is present today with the exception of new retailers where development plans are approved. The forecast applied to both base and home rule sales tax produces the following:

Base Sales Tax

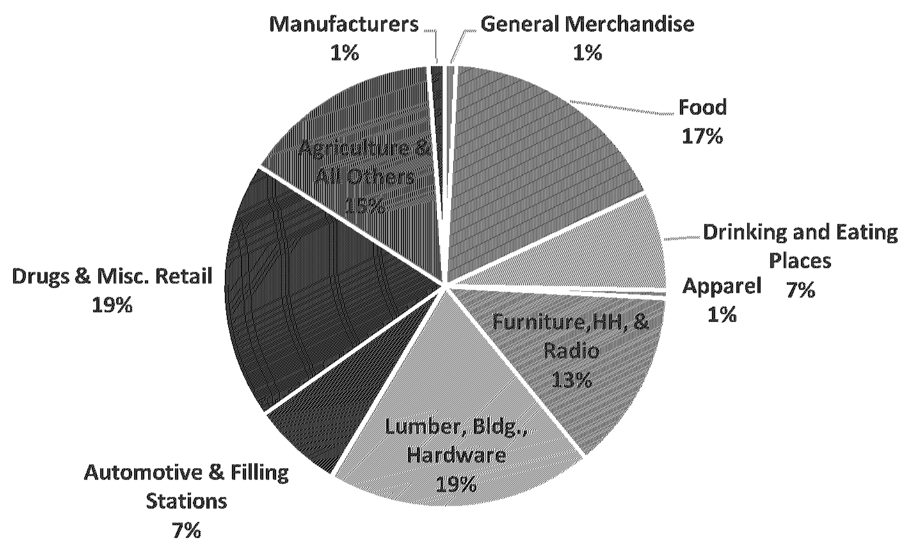


Home Rule Sales Tax



The Village's strives to diversify its retail tax base so that no one sector is overly exposed to economic and/or demand fluctuations. The following chart reflects the Illinois Department of Revenue Standard Industry Codes (SIC) for sales tax remitted to the Village.

RETAIL SALES TAX BY SECTOR

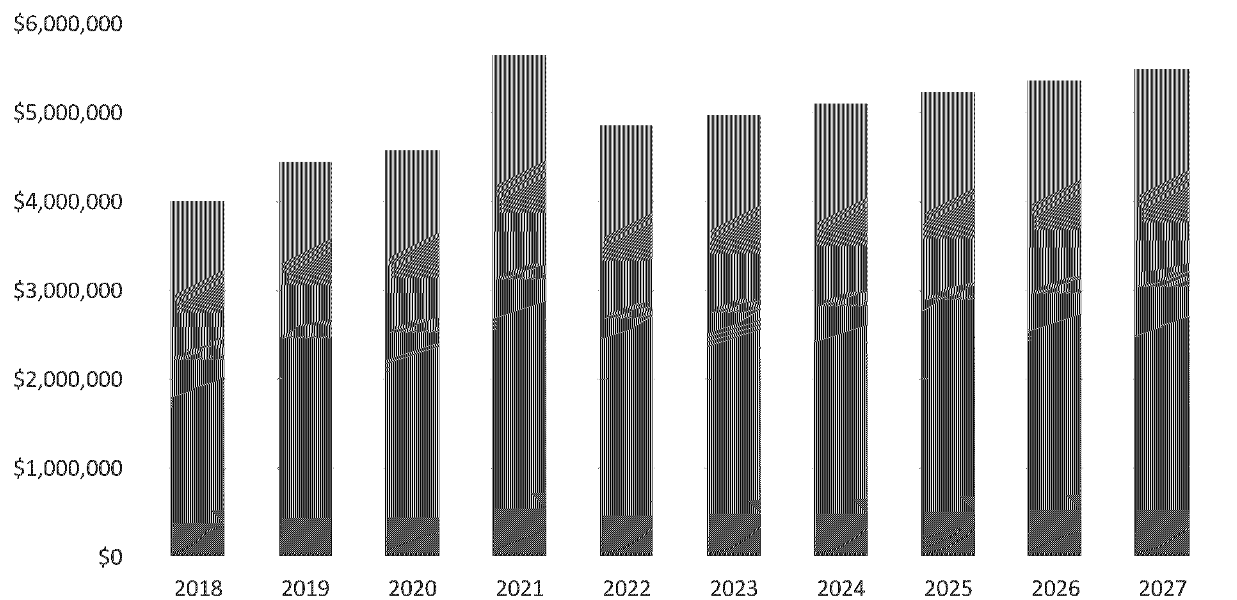


INCOME TAX

The Illinois Income Tax is imposed on every individual, corporation, trust, and estate earning or receiving income. The tax is calculated by multiplying net income by a flat rate. The current rate is five percent of net income. The rate reverted to 3.75 percent beginning January 1, 2015 to December 31, 2024. The rate will then reduce to 3.25 percent starting on January 1, 2025. The formula for distribution for local governments was 10 percent of the revenue, allocated on a per capita basis, when the rate was 3 percent. When the state rate increased to 5 percent, the increase was not included in the distribution making the effective per capita distribution to municipalities six percent.

The Village's unemployment rate as of April 2022 is 2.9 percent, which bests the state of Illinois (4.6 percent) and the U.S. (3.6 percent). Income receipts performed very well in 2021 and for the first five months of 2022 due to low unemployment and strong corporate profits.

Income Tax



Prepared Food and Beverage Tax

This tax (1%) was adopted in 2008 and is levied on the purchase of prepared food for immediate consumption and the sale of liquor. Similar to sales tax, inflationary growth is the primary reason for revenue increases. The source is projected to increase two percent annually. There are approximately 100 establishments that charge and remit this tax to the Village.

Telecommunications Tax

This tax levied at 6 percent on all types of telecommunications except for digital subscriber lines (DSL) purchased, used, or sold by a provider of internet service (effective July 1, 2008). The exemption of DSL service has made a significant impact on collections. Recent legislation has also mandated that data packages no longer be bundled with all other telecommunications billing for the sake of taxation. Those services have been exempted. This revenue source is down 44.6 percent in FY 2021 from $1.3 million in FY 2019. The forecast calls for no change over the remainder of the plan.

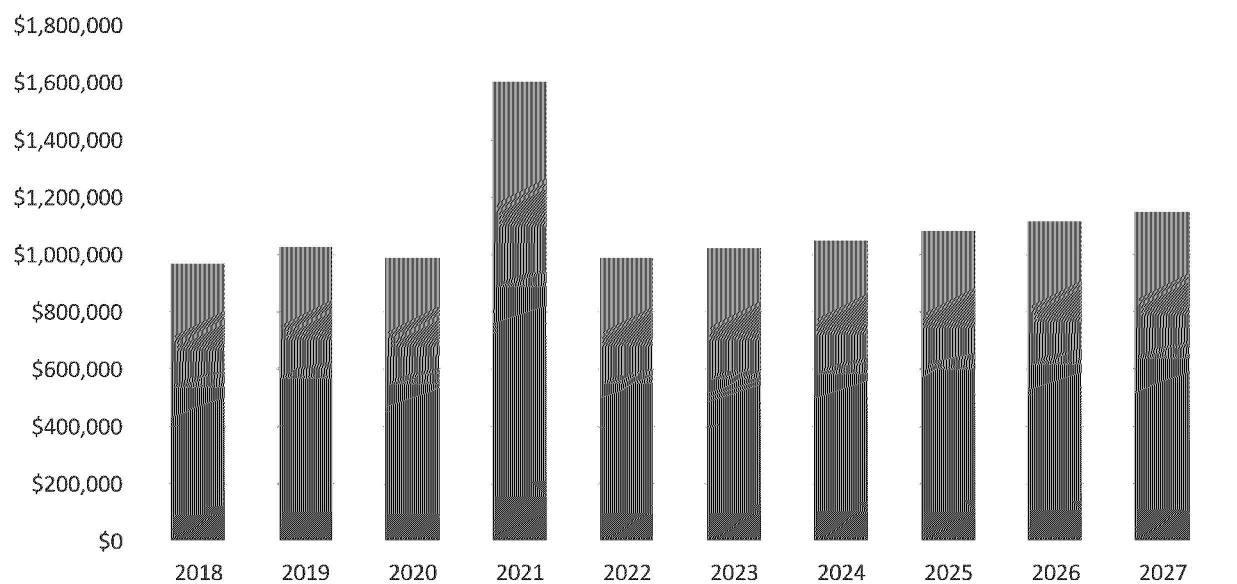
Utility Use Tax (Natural Gas & Electricity)

Natural gas and electricity charges are based on consumption and will fluctuate with seasonal demands. The Village is charging the highest statutory rate. There is no consumption growth projected over the next five years. Any new growth will be predicated on adding square footage to houses or buildings and offset by more energy efficient construction and mechanical systems.

REAL ESTATE TRANSFER TAX

Real estate transfer tax is collected at the rate of $3 per $1,000 of sales consideration. Sales recovered from the FY 2012, when the market reached a low point, through FY 2018. In FY 2021, tax receipts totaled $1.6 million due to the strong real estate market, which resulted in a high volume of sales and increasing sales prices.

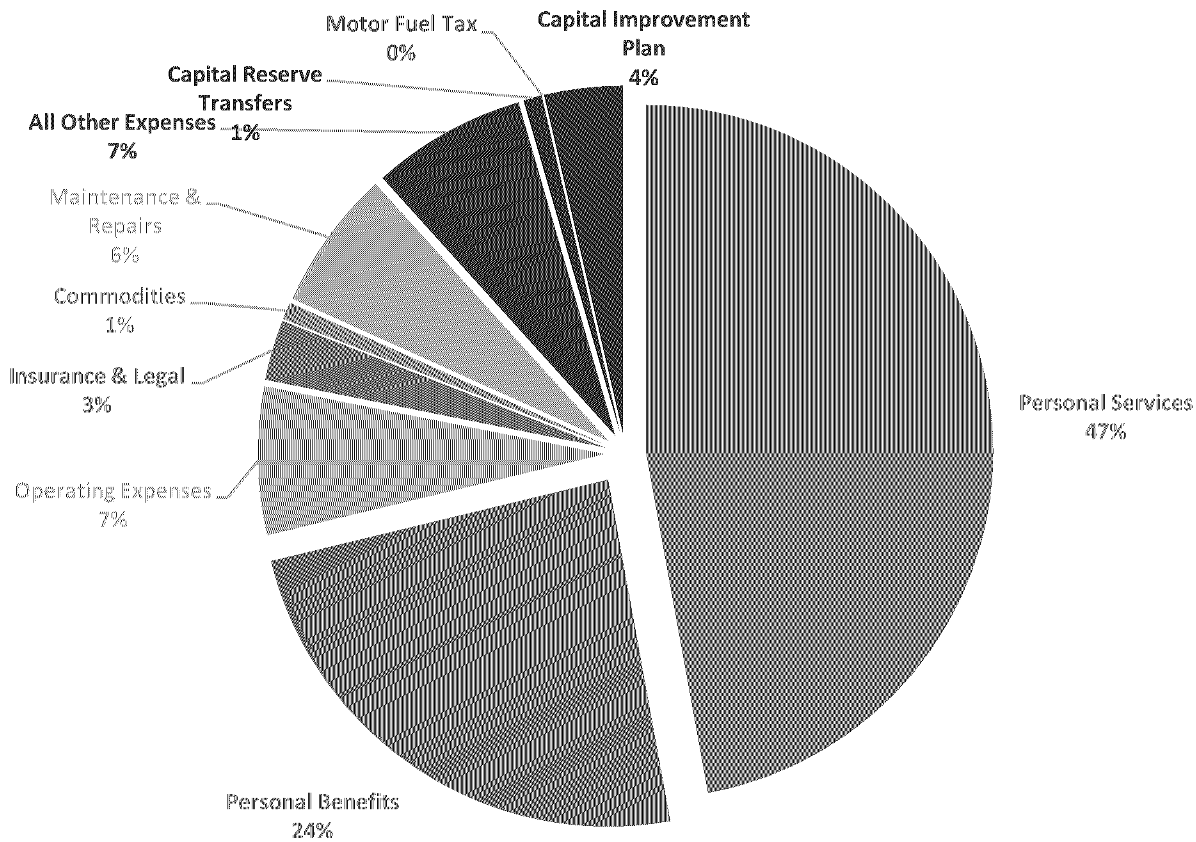
Real Estate Transfer Tax



EXPENDITURE REVIEW

The average annual increase in operating expenditures over the next five years is 3.0 percent. In each of the next five years, wages and benefits account for about 71 percent of all operating expenditures. The next largest expenditure account group is for operating expenses (7 percent). For FY 2022 the distribution of General Fund expenditures is shown in the table below.

EXPENDITURE DISTRIBUTION



PERSONAL SERVICES

Wages are anticipated to increase by a factor of three percent each year. The wage forecast anticipates the general wage increases plus merit based pay range adjustments. The forecast does assume retirements with a replacement hired at a lower starting salary.

Over half of the workforce is covered by collective bargaining agreements and the Village has less flexibility when addressing wages within the police and fire departments.

Budgeted full time staffing is at 210 employees. For all positions, the ratio of municipal employees per 1,000 residents is 4.8 compared to a ratio of 7.8/1,000 in 2010.

A major initiative in FY 2015 was to establish a pay for performance system that will allow employees to move through their pay ranges. A merit wage pool will be included in the FY 2022 Budget and managed by the Human Resources Department. The ability to advance employees through their pay range based upon performance is critical in maintaining an effective and motivated work force.

Personal Benefits

The largest single expenditure within Personal Benefits is for health insurance. The Village is a member of the Intergovernmental Professional Benefits Cooperative (IPBC). As a member of IPBC, the Village is better able to stabilize medical costs through risk pooling and provide for a mechanism to help establish positive cash flow and rebuild reserves. The forecast calls for three percent growth each year in annual premium expense.

The employees' contribution is set at 15 percent of the premium in FY 2023. Continued efforts will be made to maintain costs. A renewed emphasis on wellness programs and evaluating data will be critical in the next few years to help stabilize experience.

Employer pension costs have been assigned to each operating department budget. The intent of the accounting was to better represent the true cost of providing a specific service. Employer pension obligations are anticipated to be $6.8 million in 2023 or 14.1 percent of the General Fund Budget.

Insurance

Within the Insurance category is the premium paid for general liability and workers' compensation coverage. In FY 2016, the Village moved from the Intergovernmental Risk Management Pool (IRMA) for general liability and workers' compensation coverage to establish a risk premium structure that is more commensurate with the Village's service profile and asset values.

The Village is a founding member of the Suburban Liability Insurance Pool or SLIP. The purpose of SLIP it to share risk with similarly sized, full-service communities and mitigate increases in premium costs and develop economies of scale for administrative services.

Commodities

The single largest expenditure within the Commodity account group is for purchase of salt for the snow and ice control program. The forecast calls for increases of 2.5 percent per annum. Staff continues to seek innovative ways to reduce commodity costs, such as bulk electric procurement, and utilizing centralized purchasing to leverage the Village's buying power.

MAINTENANCE & REPAIR

Expenditure growth in this account group is estimated to be 2.5 percent per year. Included in these expenditures are costs related to the maintenance and repair of sidewalks and bike paths, street patching, streetlights, building facilities, vehicles and parkway trees. Included in these costs are Internal Service Fund charges for Central Garage and Building Maintenance expenditures.

GENERAL FUND TRANSFERS

Capital Reserves

Included in the transfers are $4.8 million for vehicles, technology, storm water and building reserves for the General Fund over the next five years. If the Village intends to continue with a pay-as-you-go approach to acquiring vehicles, supporting technology infrastructure and repairing facilities, then these transfers should be programmed.

It should be noted that the reserve amount for facilities is the minimum to address various maintenance needs and does not provide funding for major repairs including roof replacements, purchase of mechanical systems and/or functional remodeling.

Capital Projects

There is $99.3 million in capital projects scheduled for completion during the five year forecast. The projects are taken from the current Capital Improvement Plan (CIP) and the details of those projects are included in the FY 2022 annual budget. The amount of the capital reserve funding is not sufficient to meet the needs of certain CIP program areas.

FINANCIAL RESULTS

Operating Budget

In each of the five years, revenues offset operating expenses and the budgets are anticipated to be in balance. This statement should be viewed with caution as revenues are expected to grow on average 1.7 percent per year while operating expenditures outpace average annual revenue growth by 1.2 percent per year or 2.9 percent.

Impact of Transfers and Capital Projects

After including amounts necessary for reserves and capital, there is a shortfall every year of the forecast. The shortfall is created by a desire to cash finance most capital projects. This is anticipated and adjustments can be made to address funding levels. It is important to note that reducing amounts spent on capital should not be viewed as budget cuts (or savings) rather is a conscious decision to defer spending to future years. The liability still exists. Reserve spending should be viewed in the same light.

While efforts will continue to focus on how to deliver the same high level of services at lower unit costs, staff recognizes that revenues will also need to be reviewed. Every opportunity to grow the sales tax base should continue to be considered. Staff must ensure that revenues are reviewed for adequacy (fees), efficiency (collections), and efficacy (diversified). New revenue sources should be researched, discussed, and if warranted, presented to the Village Board for consideration.

This report will be used as a guide for the development of the FY 2023 Budget and will help shape the discussion about how the Village adapts to the current and future financial landscape. Staff seeks further input from the Village Board on the operating forecast.

Information Item : 2022 20-Year Water Pro-Forma

Recommendation of Action

Staff recommends discussion

Attached for the Board's discussion is the Twenty-Year Water Rate Pro-forma which reflect the latest rates and capital expenditures.

ATTACHMENTS:

- BOT Memo 6.2.22 (DOCX)
- 20 year water pro forma_052322 (PDF)

Trustee Liaison
Weidenfeld

Staff Contact
Chris Black, Finance

Monday, June 6, 2022	

VILLAGE OF
BUFFALO GROVE

TO: Dane C. Bragg, Village Manager

FROM: Chris Black, Finance Director

DATE: June 7, 2022

RE: FY 2022 20-year Water Pro-Forma

Background

In 2012, the Village developed a 20-year Water and Sewer Fund pro-forma to evaluate the water and sewer system's infrastructure needs. As identified in previous pro-forma, the Village's historical rates were not sufficient to fund water and sewer operations and capital needs.

In 2019, the Village Board directed staff to develop a formal funding strategy for the Water and Sewer Fund that would allow needed capital improvements to occur over the next 20 years. The goal was to develop a funding strategy to complete $150 million of sewer/water infrastructure. The strategy could not impact the Village's the property tax levy and maintain a competitive water rate amongst other providers within the region.

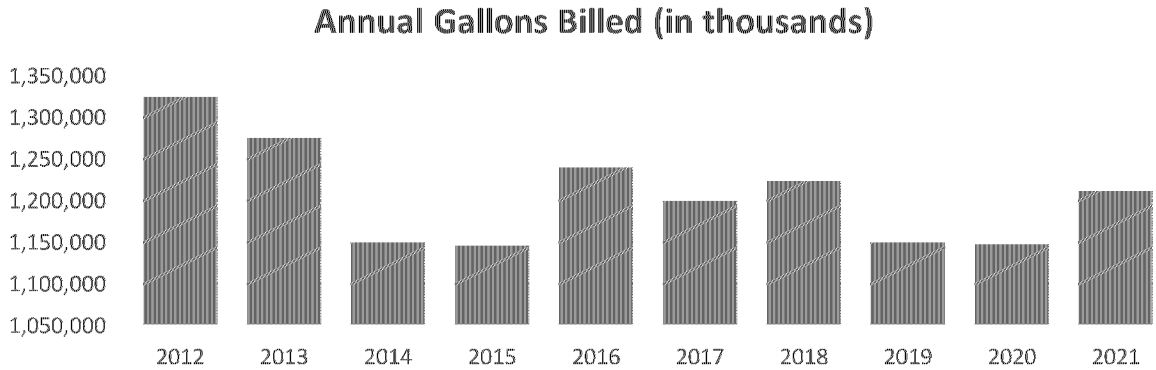
As a result, the Village Board adopted a new rate structure and fixed facility fee, effective January 2020. Furthermore, the Village implemented a new local motor fuel tax in effort to align roadwork with water/sewer improvements. For the Board's review is an updated 20-year water pro-forma reflecting the new rate structure as well as the issuance of debt in 2020. The pro-forma shows that Public Works is able to complete over $150 million in water and sewer capital infrastructure through 2042.

Rate and Consumption History

The Village maintained a water and sewer rate of $1.80/1,000 gallons for twenty-three years (1983-2005). Funding for future infrastructure replacement (funding depreciation) was never a component of the rate structure.

The Village was able to adequately maintain the water and sewer system without increasing rates during the time period for several reasons. First, Developers donated approximately 53 percent of the water and sewer system assets when the Village experienced growth in the 1980's and 1990's. In addition, revenues increased due to growing water consumption and the receipt of building and development fees. Growing revenue, combined with more limited capital needs due to the age of the system, allowed the Village to fund infrastructure improvements on a pay-as-you-go basis from Water and Sewer Fund cash reserves.

Beginning in 2003, a pattern of declining water usage started. In 2002, 1.63 billion gallons of water were billed. In 2021, the Village billed customers for 1.2 billion gallons, a decrease of 26.4 percent from 2003. There is no expectation that the amount of water billed will reach those levels again absent a significant drought or the addition of heavy industrial uses. The following chart shows the annual gallons billed since 2012.

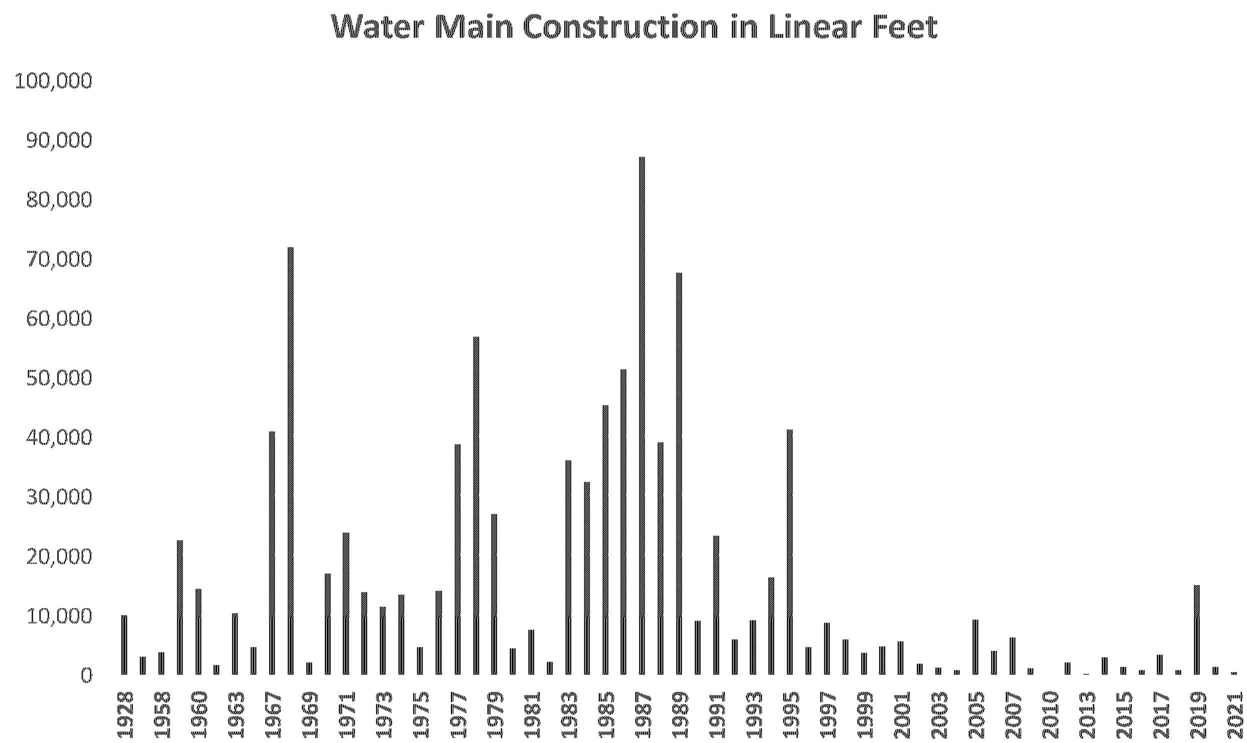


The latest pro-forma uses an estimate of 1.15 billion gallons and will carry forward through the next 20 years. Although there will be an increase in total consumers over the next two decades with Link Crossing and the Lake Cook Corridor Developments, continued conservation efforts, weather patterns, and other impacts on water usage could partially offset that growth.

The Village has an agreement in place for the resale of potable water to the Pekara and Horatio Gardens neighborhoods with the Lake County Public Works Department. The proposed agreement allows the Village to utilize its existing pumping and reservoir capacity to provide water to Pekara/Horatio Gardens while providing a high-quality and reliable water source. The pro-forma includes revenue and expenses related to agreement the beginning in 2024.

Water and Sewer System Assets

The utility system consists of 186 linear miles of water and sewer main. Based on actual experience in the field, the service life of the water main infrastructure is 65 years. Over the next 20 years, it is estimated that 24 percent of the water mains will reach the end of their useful life. As the first iterations of infrastructure replacement have come due, the Village has engaged in extensive study of the system and developed a replacement program, culminating in 2020's Infrastructure Modernization Program. The following chart shows the pattern of construction of water main since 1929.



Sewer assets have a longer life span as the structures are not pressurized. The Village's preferred approach is to line existing sanitary sewer mains, thereby extending the life considerably while reducing the life cycle cost of the asset. As a general rule, sanitary sewer lining can extend the life of a gravity-fed main by 50 years.

Recent Rate Changes

Fixed Facility Fee

As recommended in the water and sewer rate analysis prepared by Strand and Associates, the Village Board implemented a new fixed facility fee per metered utility account, starting in 2020. The fixed facility fee is a flat rate assessed to each metered account for access to the water and sewer system.

The fixed fees collected are used for the maintenance and replacement of the capital infrastructure for the delivery of clean water and the removal of the wastewater. The current fee schedule is as follows:

Fixed Facility Fee	Rate per month
All Single-Family Detached, Single-Family Attached Residential/Governmental/Institutional	$17.39
Multi-Family, Commercial/Industrial Based on Meter Size	
1" meters or less	$17.39
1.5" meters	$22.02
2" meters	$45.17
3" meters	$115.68
4" meters	$180.68

6" meters	$199.20

The fixed fee will be evaluated every five years by utilizing the aggregate Consumer Price Index (CPI-U) over the preceding five-year period to determine if the rate must be increased. The 20-Year Water/Sewer Pro-Forma assumes a 10 percent increase to the facility fee to occur in 2025.

Water/Sewer Rate

The Village's consumption model is driven by water rate and consumer use. The fees collected from system users should cover operating expenses such as the cost of the water sourced from the Northwest Water Commission as well as the cost for pumping, storage and distribution. In 2020, the Village Board approved a one-time 11 percent increase to meet and sustain growth in operating expenditures. Beginning in 2021, the rate will increase each year by 4 percent, as adopted by ordinance by the Village Board. The combined sewer and water rate per 1,000 gallons is $7.64.

Water and Sewer Fund Financials

Historically, the Water and Sewer Fund addressed infrastructure maintenance and improvement on a pay as you go basis. Due to the relative age of the system, many system repairs and replacements are coming due over the next 20 years based on the growth periods for the Village. Since 2012, $24.7 million in infrastructure repairs and improvements has been spent, including $6 million in water meter replacement costs. The meter replacement costs were funded through an installment note scheduled to be retired in 2029.

As noted, the Village Board approved two revenue streams, a fixed facility fee combined with a water/sewer rate increase and a local motor fuel tax to fund capital improvements. These actions allow the Village to address the first generation of major water and sewer infrastructure replacement, as well as street repair and replacement. By combining utility and street improvements, the Village is able to comprehensively address repairs and improvements in neighborhoods and limit disruption to residents.

In May 2020, the Board also approved the issuance of a bond totaling $26 million - $13 million for water/sewer and $13 million for streets, to begin the Infrastructure Modernization Program. From 2020 through 2025, the Village will invest approximately $50 million into water, sanitary sewer, and street improvements. The long-term goal is to transition from a debt and cash strategy to a cash-only strategy (pay-as-you-go) to fund all system replacements.

From 2020 through 2023, the Village has programmed $20.2 million in water and sewer capital projects. The Village completed approximately $6 million in capital projects in FY 2021. The Village will utilize water and sewer reserves from 2023 through 2029 to fund capital improvements. In 2030 and again in 2033, the Village will need to issue additional debt to keep pace with the water and sewer improvements. The debt could be fully supported by revenues generated in the Water and Sewer Fund. All debt is scheduled to be retired by 2048.

After completing the largest surge of infrastructure replacement through 2034, the Water and Sewer fund begins to rebuild cash balances exceeding from 2035-2041, while also supporting over $45.8 million in capital improvements during the same period. As a result of the Village's careful infrastructure planning, Public Works is able to complete over $150 million in water and sewer capital infrastructure through 2039, consistent with the recommendations of the Strand & Associates water/sewer system study.

WATER & SEWER FUND

BUDGET YEAR	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Beginning Cash	8,828,382	7,948,186	8,114,481	7,809,096	8,331,771	9,279,272	10,485,869	11,963,553	14,333,350	31,455,073
Water and Sewer Revenue										
Sale of Water	7,298,290	7,337,000	8,174,977	8,507,393	8,852,122	9,209,161	9,578,512	9,960,175	10,354,150	10,772,749
Fixed Facility Fees	2,500,000	2,500,000	2,500,000	2,750,000	2,750,000	2,750,000	2,750,000	2,750,000	3,025,000	3,025,000
Late Charges	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
Village Sewer Use Fees	1,748,000	1,817,000	1,886,000	1,966,500	2,047,000	2,127,500	2,208,000	2,300,000	2,392,000	2,484,000
Series 2020 Bonds	5,370,026									
Series 2030 Bonds									26,000,000	
Series 2033 Bonds										
Other Charges & Fees	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000
Miscellaneous Revenue										
Investment Revenue	29,414	32,576	29,119	24,553	25,886	30,252	36,884	47,228	136,677	169,097
Total Revenue	17,065,730	11,806,576	12,710,096	13,368,446	13,795,008	14,236,913	14,693,396	15,177,403	42,027,827	16,570,846
Operating Expenses										
Water Department	3,834,598	3,982,740	4,074,481	4,168,372	4,264,463	4,362,809	4,463,463	4,566,482	4,671,923	4,779,844
Sewer Department	893,962	914,076	934,643	955,672	977,175	999,161	1,021,642	1,044,629	1,068,133	1,092,166
Total Operating Expenses	4,728,560	4,896,816	5,009,124	5,124,044	5,241,638	5,361,970	5,485,105	5,611,111	5,740,056	5,872,010
Capital Expenses										
Capital Projects	10,180,914	3,150,000	4,400,000	4,101,160	4,101,160	4,101,160	4,101,160	4,101,160	15,765,680	15,265,680
Capital Equipment	200,000	204,000	208,080	212,240	216,480	220,810	225,230	229,730	234,320	239,010
Water Meter Debt Service	608,374	653,945	702,186	753,245	807,270	864,413	924,841	384,828		
IEPA Loan	26,128	26,128	26,128	26,128	26,128	26,128	26,128	26,128	26,128	26,128
Series 2020 Debt Service	1,241,950	1,201,950	1,161,950	1,121,950	946,950	948,700	946,200	947,075	947,700	948,175
Series 2030 Debt Service									684,646	2,189,200
Series 2033 Debt Service										
Total Capital Expenses	12,257,366	5,236,023	6,498,344	6,214,723	6,097,988	6,161,211	6,223,559	5,688,921	17,658,474	18,668,193
Operating Transfers										
Water Department - Tax Abatement	180,000	727,442	728,012	727,004	727,881	727,135	727,048	727,574	727,574	727,048
Reimburse General Fund	780,000	780,000	780,000	780,000	780,000	780,000	780,000	780,000	780,000	780,000
Total Operating Transfers	960,000	1,507,442	1,508,012	1,507,004	1,507,881	1,507,135	1,507,048	1,507,574	1,507,574	1,507,048
Revenues over (under) Expenses	(880,196)	166,294	(305,384)	522,675	947,501	1,206,596	1,477,685	2,369,797	17,121,723	(9,476,405)
Unreserved Ending Cash	7,948,186	8,114,481	7,809,096	8,331,771	9,279,272	10,485,869	11,963,553	14,333,350	31,455,073	21,978,668
Required Working Cash*	1,182,140	1,224,204	1,252,281	1,281,011	1,310,410	1,340,493	1,371,276	1,402,778	1,435,014	1,468,003
Est Gallons Billed (in thousands)	1,150,000	1,150,000	1,150,000	1,150,000	1,150,000	1,150,000	1,150,000	1,150,000	1,150,000	1,150,000

BUDGET YEAR	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041
Beginning Cash	21,978,668	12,797,157	23,433,583	12,738,955	13,746,075	15,228,573	16,928,765	18,552,646	20,399,708	22,424,504
Water and Sewer Revenue										
Sale of Water	11,203,659	11,646,880	12,114,725	12,594,882	13,099,662	13,629,066	14,170,781	14,737,120	15,328,082	15,943,668
Fixed Facility Fees	3,025,000	3,025,000	3,025,000	3,327,500	3,327,500	3,327,500	3,327,500	3,327,500	3,327,500	3,327,500
Late Charges	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
Village Sewer Use Fees	2,587,500	2,691,000	2,794,500	2,909,500	3,024,500	3,151,000	3,277,500	3,404,000	3,542,000	3,680,000
Series 2020 Bonds										
Series 2030 Bonds										
Series 2033 Bonds		20,000,000								
Other Charges & Fees	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000
Miscellaneous Revenue										
Investment Revenue	70,565	78,465	77,740	24,366	32,832	45,526	62,635	84,354	45,526	62,635
Total Revenue	17,006,724	37,561,345	18,131,965	18,976,248	19,604,494	20,273,092	20,958,416	21,672,974	22,363,108	23,133,803
Operating Expenses										
Water Department	4,890,305	5,003,368	5,119,096	5,237,554	5,358,809	5,482,928	5,609,981	5,740,041	5,873,180	6,009,475
Sewer Department	1,116,740	1,141,867	1,167,559	1,193,829	1,220,690	1,248,156	1,276,240	1,304,955	1,334,316	1,364,338
Total Operating Expenses	6,007,045	6,145,235	6,286,655	6,431,383	6,579,499	6,731,084	6,886,221	7,044,996	7,207,496	7,373,813
Capital Expenses										
Capital Projects	15,265,680	15,265,680	15,765,680	5,706,980	5,706,980	6,000,000	6,600,000	6,930,000	7,276,500	7,640,325
Capital Equipment	243,790	248,670	253,640	258,710	263,880	269,160	274,540	280,030	285,630	291,343
Water Meter Debt Service			-	-	-	-	-			
IEPA Loan	26,128	26,128								
Series 2020 Debt Service	947,900	946,875	947,600							
Series 2030 Debt Service	2,190,600	2,190,000	2,192,400	2,192,600	2,190,600	2,191,400	2,189,800	2,190,800	2,189,200	2,190,000
Series 2033 Debt Service		594,669	1,873,000	1,871,400	1,873,200	1,873,200	1,876,400	1,872,600	1,872,000	1,874,400
Total Capital Expenses	18,674,098	19,272,022	21,032,320	10,029,690	10,034,660	10,333,760	10,940,740	11,273,430	11,623,330	11,996,068
Operating Transfers										
Water Department - Tax Abatement	727,091	727,662	727,618	728,056	727,837	728,056	727,574	727,486	727,486	727,486
Reimburse General Fund	780,000	780,000	780,000	780,000	780,000	780,000	780,000	780,000	780,000	780,000
Total Operating Transfers	1,507,091	1,507,662	1,507,618	1,508,056	1,507,837	1,508,056	1,507,574	1,507,486	1,507,486	1,507,486
Revenues over (under) Expenses	(9,181,511)	10,636,426	(10,694,628)	1,007,119	1,482,499	1,700,192	1,623,881	1,847,062	2,024,796	2,256,437
Unreserved Ending Cash	12,797,157	23,433,583	12,738,955	13,746,075	15,228,573	16,928,765	18,552,646	20,399,708	22,424,504	24,680,940
Required Working Cash*	1,501,761	1,536,309	1,571,664	1,607,846	1,644,875	1,682,771	1,721,555	1,761,249	1,801,874	1,843,453
Est Gallons Billed (in thousands)	1,150,000	1,150,000	1,150,000	1,150,000	1,150,000	1,150,000	1,150,000	1,150,000	1,150,000	1,150,000

Information Item : Executive Session - Section 2(C)(1) of the Illinois Open Meetings Act: the Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Specific Employees of the Public Body or Legal Counsel for the Public Body, Including Hearing Testimony on a Complaint Lodged Against an Employee of the Public Body or Against Legal Counsel for the Public Body to Determine Its Validity.

Recommendation of Action

N/A

Executive Session - Section 2(C)(1) of the Illinois Open Meetings Act: The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity.

Trustee Liaison
Sussman

Staff Contact
Dane Bragg, Office of the Village Manager

Monday, June 6, 2022	