

STATE OF ILLINOIS)
)SS
COUNTY OF DEKALB)

ORDINANCE 2007-16

**AN ORDINANCE OF THE DEKALB COUNTY FOREST PRESERVE DISTRICT
PROVIDING A TAX LEVY FOR 2007**

BE IT ORDAINED BY THE DEKALB COUNTY FOREST PRESERVE DISTRICT COMMISSIONERS:

Section 1. That there be and there is hereby levied upon all of the taxable property within the corporate limits of said DeKalb County Forest Preserve District subject to taxation for the year, A.D. 2007, the total sum of One Million, Four-hundred Twenty Thousand Dollars (\$1,420,000) for the following specific purposes, and in the following respective sums, to-wit:

Salaries & Wages	\$241,000
Health & Medical Benefits	41,500
Garbage Disposal	5,000
Utilities	8,000
Telephone	6,000
Land Acquisition	882,700
Environmental Education	18,000
Park Improvements	9,800
Supplies	21,000
Fuel	23,000
Professional Services (Audit)	4,000

TOTAL	\$1,260,000
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Section 2. That there be and there is hereby levied upon all of the taxable property within the corporate limits of said DeKalb County Forest Preserve District subject to taxation for the year 2007 A.D., the total sum of Ninety Thousand Dollars (\$90,000.00) for the following respective sums, to wit:

TORT	\$90,000
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Section 3. That there be and there is hereby levied upon all of the taxable property within the corporate limits of said DeKalb County Forest Preserve District subject to taxation for the year 2007 A.D., the total sum of Fifty Thousand Dollars (\$50,000.00) for the following respective sums, to wit:

IMRF	\$50,000
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Section 4. That there be and there is hereby levied upon all of the taxable property within the corporate limits of said DeKalb County Forest Preserve District subject to taxation for the year 2007 A.D., the total sum of Twenty Thousand Dollars (\$20,000.00) for the following respective sums, to wit:

Social Security (F.I.C.A.)	\$20,000
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Total	\$1,420,000
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Section 5. That the Secretary of said DeKalb County Forest Preserve District is directed to file with the County Clerk of said County, a duly certified copy of this Ordinance.

Section 6. That this Ordinance shall be in full force and effect after its passage and approval as provided by law.

ADOPTED BY THE FOREST PRESERVE COMMISSIONERS THIS 21st DAY OF NOVEMBER, 2007
A.D.

ATTEST:

President, DeKalb County Forest
Preserve District Commissioners

Secretary, DeKalb County Forest
Preserve District Commissioners

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ORDINANCE 2007-17

**AN ORDINANCE OF THE DE KALB COUNTY FOREST PRESERVE DISTRICT
PROVIDING AN ANNUAL APPROPRIATION**

An Ordinance making appropriations for the corporate purposes of the DeKalb County Forest Preserve District, in the County of DeKalb, State of Illinois, for the period commencing January 1, 2008 and continuing through December 31, 2008.

BE IT ORDAINED BY THE DE KALB COUNTY FOREST PRESERVE DISTRICT COMMISSIONERS:

SECTION 1. The Forest Preserve Committee of the DeKalb County Forest Preserve District Commissioners has conducted reviews and public notice concerning the annual appropriation for the 2008 Fiscal Year and that the following sums, or so much thereof as may be authorized by law, be and the same are hereby appropriated for the corporate purposes of the DeKalb County Forest Preserve District of DeKalb County, Illinois, to defray all necessary expenses and liabilities of said DeKalb County Forest Preserve District, as hereinafter specified, for the period commencing January 1, 2008 and continuing through December 31, 2008.

PERSONNEL SERVICES		FY '08
6005	Regular Salaries & Wages	\$192,000
6051	Boards & Commissions	4,000
6061	Seasonal and Park Managers	49,000
6081	Safety & Security	-0-
6221	Longevity	3,800
6231	Deferred Compensation	3,800
6302	PHO Liability	-0-
6501	FICA	20,000
6502	IMRF	50,000
6511	Health/ Medical Insurance	41,500
6512	Life Insurance	600
6601	Unemployment Insurance	800
SUBTOTAL		\$365,500

CAPITAL		
7001	Land Acquisition	\$ 882,700
7232	DeKalb-Sycamore Trail	-0-
7252	Special Projects/Natural Resource Mgmt.	9,000
7253	Park Improvements	6,000
7254	Park Improvements (Staff)	6,000
7255	County Farm Woods Development	-0-
7256	C-2000 Grant work	-0-
7258	Wetland Mitigation	-0-
7259	Potawatomi Woods Development	-0-
7801	Vehicles	-0-
7802	Construction Equipment	-0-
7803	Lawn Equipment	7,000
SUBTOTAL		\$910,700

COMMODITIES AND SERVICES

8003	Travel	\$1,000
8005	Mileage-Boards	1,000
8011	Memberships	300
8013	Public Notices	-0-
8022	Maint-Equipment	1,000
8023	Maint-Vehicles	3,000
8024	Maint-Buildings & Grounds	7,000
8041	Utilities	8,000
8044	Telephone	6,000
8051	Professional Services	4,000
8059	Departmental Services	-0-
8061	Commercial Services	5,000
8101	Insurance Premiums	90,000
8211	Property Taxes	2,000
8229	DeKalb Co. Community Foundation	-0-
8332	Environmental Education	18,000
8411	NREC Expenses	25,000
9001	Supplies	21,000
9011	Postage	250
9021	Copies In-house	250
9211	Clothing	1,000
9221	Fuel	23,000
9241	Vehicular Parts	1,000
9242	Machine & Equipment Parts	1,000
9801	Miscellaneous	1,000

SUBTOTAL **\$219,800**

TOTAL EXPENSES **\$ 1,496,000**

Section 2. That the following sums constitute a statement of estimated revenues for the DeKalb County Forest Preserve District for the period commencing January 1, 2008 and continuing through December 31, 2008.

3011	Property Tax (General)	\$1,260,000
3011	Property Tax (FICA)	20,000
3011	Property Tax (IMRF)	50,000
3011	Property Tax (Tort)	90,000
3331	Replacement Tax	15,000
4632	NREC Revenue	25,000
5501	Interest	12,000
5521	Farm License	12,000
5522	Shelter Rental, Camping Fees	12,000
5899	Miscellaneous Wetland Bank Const. Reserved Funding	-0-

TOTAL REVENUE DISTRIBUTED **\$ 1,496,000**

Section 3. That this Ordinance shall be in full force and effect after its passage and approval as provided by law. ADOPTED BY THE DE KALB COUNTY FOREST PRESERVE DISTRICT COMMISSIONERS THIS 21st DAY OF NOVEMBER, 2007.

President, DeKalb County Forest
Preserve District Commissioners

ATTEST:

Secretary, DeKalb County Forest Preserve
District Commissioners

STATE OF ILLINOIS)
)SS
COUNTY OF DEKALB)

ORDINANCE 2007-18

**AN ORDINANCE AMENDING THE
DEKALB COUNTY ZONING ORDINANCE
REGARDING SMALL WIND ENERGY SYSTEMS**

WHEREAS, the DeKalb County Zoning Ordinance contains regulations related to all buildings, structures, primary uses and accessory uses throughout unincorporated DeKalb County; and

WHEREAS, the Zoning Ordinance does not currently permit small wind energy systems on non-farm properties, yet the County Board has a long history of encouraging the conservation of land and energy;

WHEREAS, Al Winters, a resident of unincorporated DeKalb County, has submitted an application for Amendments to the text of the Zoning Ordinance to allow small wind energy systems as an accessory use on private properties; and

WHEREAS, following due notice published in The Daily Chronicle not less than 15 days in advance, a public hearing was conducted on September 27, 2007 by the DeKalb County Hearing Officer regarding the proposed Zoning Text Amendments, and no persons spoke in favor of or in opposition to the proposal, but five persons asked questions regarding the petition; and

WHEREAS, based on the testimony given at the public hearing, the Hearing Officer has forwarded to the Planning and Zoning Committee of the DeKalb County Board his findings and recommendation that amendments to the Zoning Ordinance to allow small wind energy systems be approved, as set forth in the Findings of Fact and Recommendation, dated September 27, 2007, a copy of which is appended hereto as Exhibit "A"; and

WHEREAS, the Planning and Zoning Committee has reviewed and considered the proposed Text Amendments and the recommendation of the Hearing Officer and has forwarded a recommendation to the full County Board that the proposed amendments be adopted, as set forth below; and

WHEREAS, the County Board of DeKalb County has determined that it is in the best interests of the citizens of the County to amend the DeKalb County Zoning Ordinance to permit small wind energy systems on private properties;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF DEKALB COUNTY, ILLINOIS, as follows:

SECTION ONE: The findings of the DeKalb County Hearing Officer, Exhibit "A" attached

hereto, are hereby adopted as the findings and conclusions of the DeKalb County Board.

SECTION TWO: The DeKalb County Zoning Ordinance, Appendix A of the DeKalb County Code, is hereby amended as follows:

1. Section 2.03, Definitions, is amended to add the following in alphabetic order:

Wind Energy System, Small: shall mean a wind energy system consisting of a small wind electric turbine, a small wind tower, and associated equipment and housing for the control or conversion of electronics, which has a rate capacity of not more than 100 kW and which is intended to primarily reduce consumption of utility power. The energy produced by a small wind energy system is for use of the resident of the property on which said system is located; excess power generation is limited to net metering regulations set by the local power utility, community, county and state

Wind Energy Turbine, Small -- shall mean a mechanical device, part of which is turned by the force the wind and produces electricity. The maximum amount of energy capacity of a small wind energy turbine shall not be more than 100 kW

Wind Tower, Small -- shall mean a tower specifically built to hold a small wind energy turbine. Such towers shall be less than 100 feet in height.

2. Section 5.06, Accessory Buildings and Structures, is amended to add the following underlined language:

No accessory building or structure shall be constructed or used prior to the primary building or use. Accessory buildings or structures shall be permitted on any portion of a lot that is behind the primary building and must conform to all provisions of this Ordinance. Detached garages, recreational vehicle pads, ~~and~~ typical residential accessory structures, and small wind energy systems subject to the regulations set forth in subparagraph E. below may be placed on any other portion of the lot that is not closer to a street than the closest point of the primary building to the street at the Zoning Administrator's discretion.

3. Section 5.06, Accessory Buildings and Structures, is amended to add the following new subparagraph E:

Small Wind Energy Systems: Small wind energy systems shall be permitted in all zoning districts except RC-1 and RC-2, on lots of two (2) acres or more in area, and no more than one such system shall be permitted per zoning lot. No small wind energy system shall exceed 100 feet in height as measured from the ground at the base of the tower to the tip of a turbine blade at its highest point, provided, however, a lower height may be required by FAA regulations. Small wind towers shall be set back from all property lines a minimum distance equal to the height of the tower plus 10%, and no guy wire anchor for a wind tower shall be closer than 10 feet to any property line. Small wind energy system equipment shall

conform to applicable industry standards, including the American Wind Energy Association standards for wind turbine design and related standards adopted by the American Standards Institute (ANSI). Applicants for building permits for small wind energy systems shall submit certificates from equipment manufacturers that the equipment is manufactured in compliance with industry standards.

SECTION THREE: This Ordinance shall be in full force and effect upon its adoption by the County Board of DeKalb County, Illinois.

ADOPTED BY THE COUNTY BOARD THIS 21ST DAY OF NOVEMBER, 2007, A.D.

Chairman, DeKalb County Board

ATTEST:

DeKalb County Clerk

STATE OF ILLINOIS)
)SS
COUNTY OF DEKALB)

ORDINANCE 2007-20

**AN ORDINANCE OF THE COUNTY OF DEKALB
PROVIDING FOR TAX LEVIES
BE IT ORDAINED BY THE COUNTY OF DEKALB, ILLINOIS**

Section 1. That there be and there is hereby levied upon all of the taxable property within DeKalb County, as assessed, for the fiscal year beginning January 1, 2008 and ending December 31, 2008, the following sums for each specific fund:

<u>Mingled Capped Funds</u>	
General	\$4,950,000
FICA	1,100,000
IMRF	1,100,000
TORT & Liability	920,000
PBC Lease	1,835,000
Highway	2,025,000
Aid to Bridges	780,000
Federal Hwy. Matching	1,065,000
Health	480,000
Veteran's Assistance	630,000
Senior Services	500,000
 <u>Separate Capped Funds</u>	
Mental Health	2,115,000
 <u>Separate Uncapped Funds</u>	
PBC Bond	<u>450,000</u>
 TOTAL	 \$17,950,000

Section 2. If an item or portion of this Tax Levy is, for any reason, held invalid by the decision of any Court of Competent Jurisdiction, such decision shall not affect the validity of the remaining portion of this Tax Levy.

Section 3. That the County Clerk of said County of DeKalb, State of Illinois, be and is hereby instructed and directed to extend the tax herein levied upon the several tax books that shall be provided for the extension and collection of taxes in and for said Fiscal Year, in accordance with the provision of the Law in such cases made and provided.

ADOPTED AND PASSED THE FOREGOING TAX LEVY BY A ROLL CALL OF AND BY THE COUNTY BOARD OF DEKALB COUNTY, ILLINOIS AT THE NOVEMBER SESSION ADJOURNED THIS 21st DAY OF NOVEMBER 2007.

Chairman, DeKalb County Board

ATTEST:

County Clerk

STATE OF ILLINOIS)
)SS
COUNTY OF DEKALB)

ORDINANCE 2007-21

ANNUAL APPROPRIATION AND BUDGET ORDINANCE

WHEREAS, the Finance Committee of the DeKalb County Board has conducted reviews and public hearings concerning the budget for the 2007 Fiscal Year, and

WHEREAS, the Committee has now put together a recommendation for the full County Board which represents a balanced budget, and

WHEREAS, it is necessary that said budget be approved prior to January 1, 2008 so that the services provided by DeKalb County may continue uninterrupted;

NOW, THEREFORE, BE IT, AND IT IS HEREBY PROVIDED AND ORDERED By the DeKalb County Board, that the monies received by the County Treasurer from taxes and other revenues, for the use of DeKalb County during the Fiscal Year starting January 1, 2008 and ending December 31, 2008 are hereby appropriated as set forth in the attached fifteen (15) pages for the purposes necessary for DeKalb County to carry out its responsibilities.

ADOPTED BY THE COUNTY BOARD THIS 21st DAY OF NOVEMBER 2007, A.D.

Chairman, DeKalb County Board

ATTEST:

County Clerk

ORDINANCE 2007-22

Whereas, the DeKalb County Board of Health has studied the need to amend portions of Chapter 10 (Animals) of the DeKalb County Code, and

Whereas, the DeKalb County Board of Health did find that amendment of sections 10-21; 10-22; 10-23 and 10-25 was in the best interest of the citizens of DeKalb County and recommended that the DeKalb County Board adopt those amendments that are attached to this Ordinance and hereby incorporated by reference, and

Whereas, the DeKalb County Health and Human Services Committee did review the proposed amendments and did concur in the recommendations of the DeKalb County Board of Health and did also recommend that the DeKalb County Board adopt the revisions as proposed.

NOW, THEREFORE BE IT ORDAINED that the DeKalb County Board does concur in the recommendations of the DeKalb County Board of Health and the DeKalb County Health and Human Services Committee and does hereby approve the revisions to Chapter 10, Sections 10-21; 10-22; 10-23 and 10-25 that are attached to this Ordinance and hereby incorporated by reference.

PASSED AT SYCAMORE, ILLINOIS THIS 21ST DAY OF NOVEMBER 2007
A.D.

ATTEST:

SIGNED:

Sharon L. Holmes
County Clerk

Ruth Anne Tobias
County Board Chairman

ARTICLE I. IN GENERAL

Secs. 10-1—10-20. Reserved.

ARTICLE II. DOGS

Sec. 10-21. Definitions.

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

~~Administrator means a veterinarian licensed by the state appointed by the county board chairman with the advice and consent of the county board. (510 ILCS 5/2-01)~~

"Administrator" means a veterinarian licensed by the State of Illinois and appointed pursuant to the Illinois Animal Control Act, or in the event a veterinarian cannot be found and appointed pursuant to the Act, a non-veterinarian may serve as Administrator under this Act. In the event the Administrator is not a veterinarian, the Administrator shall defer to the veterinarian regarding all medical decisions.

Animal control act means the Illinois Animal Control Act (510 ILCS 5/1 et seq.).

Animal control warden means any person appointed by the administrator and approved by the board to perform duties as assigned by the administrator to effectuate this article.

~~Confined means restrained or impeded by some means or device so that the dog is unable to leave the premises of the owner of the dog.~~

Dog means all members of the family Canidae.

Leash means a cord, rope, strap or chain which shall be securely fastened to the collar or harness of a dog and shall be of sufficient strength to keep the dog under control.

~~Owner means any person having a right of property in a dog or who keeps or harbors a dog or who has it in his care, or acts as its custodian, or who knowingly permits a dog to remain on or about any premises occupied by him.~~

Owner means any person having a right of property in an animal, or who keeps or harbors an animal, or who has it in his care, or acts as its custodian, or who knowingly permits a dog to remain on any premises occupied by him or her. "Owner" does not include a feral cat caretaker participating in a trap, spay/neuter, return or release program.

Person means any person, firm, corporation, partnership, society, association or other legal entity, any public or private institution, the state, municipal corporation or political subdivision of the state, or any other business unit.

Pound means any facility approved by the administrator for the purpose of enforcing this article and used as a shelter for seized, stray homeless, abandoned or unwanted dogs.

Stray dog means a dog not on the premises of the owner and not under the control of the owner by leash or other recognized control methods.
(Code 1979, § 4-11)

Cross reference—Definitions generally, § 1-2.

Sec. 10-22. Enforcement.

(a) The administrator may appoint as many deputy administrators and animal control wardens to aid him in enforcing this article as the county board shall authorize.

(b) Except for rabies inoculation ~~tags for registration of dogs~~, the compensation of the administrator, deputy administrator or animal control wardens shall be as fixed by the ~~Board of Health~~ county board.

(c) The county board may utilize monies from the general fund to effectuate the provisions of this article.

(d) The administrator, deputy administrator and animal control wardens in enforcing this article, are clothed with the police powers set forth in section 5 of the Illinois Animal Control Act (510 ILCS 5/5).
(Code 1979, § 4-12)

Sec. 10-23. Dogs running at large; apprehension.

(a) Any dog in the county found running at large contrary to the provisions of the animal control act shall be apprehended. For this purpose, the administrator shall use any existing or available pound, per 510 ILCS

5/9.

(b) When a dog has been impounded, the administrator shall cause notice of this event to be given to the owner of the dog, if that person is known. Such notice may be given by telephone, by personal service or by mail to the last known address of the owner. The notice shall advise the owner that redemption of the animal must occur no later than seven business days from the receipt of notice of impoundment of the animal. ~~In the case of notice by mail, notice shall be complete four days after mailing. Testimony of the administrator or his/her authorized agent who mails such notice shall be evidence of the receipt of such notice by the owner of the animal.~~

(c) If the owner of any dog which was impounded pursuant to this section desires to redeem the animal, redemption may be completed by doing all of the following:

- (1) Paying all applicable fees including pickup fees charged by the county and board fees charged by the holding pound and any fees for the treatment of injuries or illness to the animal.
- (2) Providing satisfactory proof to the administrator that the dog has been inoculated and registered ~~as required by the Illinois Animal Control Act (510 ILCS 5/1 et seq.) purchased a rabies inoculation tag.~~ If either inoculation or tag purchase registration has not been currently accomplished at such time, the dog shall be brought into full compliance with the inoculation and inoculation tag registration provisions of such statute before the dog shall be released.

(d) Prior to the fulfillment of the seven-day holding period, at the discretion of the administrator, animals severely injured or ill may be humanely dispatched.

(e) Dogs not redeemed by the owner in accordance with the provisions of this article shall be humanely dispatched or offered for adoption as defined under the animal control act.

(f) A person commits a violation of this section when he owns, possesses or harbors a dog which is at large. For the purposes of this paragraph, a dog is at large when it is off its custodian's premises and not under his/her control.

(Code 1979, § 4-13; Ord. No. 2002-03, 12-19-01)

Sec. 10-24. Disposition of unclaimed dogs.

Supp. No. 8

CD10:4

misrepresentation in regard to any matter prescribed by this Article, or resisting, obstructing or impeding the administrator or any authorized officer in enforcing this Article, or refusing to produce for inoculation any dog in his possession not confined at all times to an enclosed area, or who removes a tag from a dog for purposes of destroying or concealing its identity, is guilty of an offense and is subject to punishment as provided in Section 1-13 of this Code.
(Code 1979, § 4-16)

Section 10-27. Reimbursement of owner of domestic animals killed or injured by dogs.

Any owner having sheep, goats, cattle, horses, mules, swine or poultry killed or injured by a dog shall be reimbursed for such losses in accordance within the Animal Control Act, pursuant to 510 ILCS 5/19.
(Code 1979, § 4-17)

Dogs apprehended and impounded without rabies tag, collar or other identification shall be humanely dispatched if not claimed within three working days and in the manner set forth in this article.
(Code 1979, § 4-14)

Sec. 10-25. Registration; fees.

~~(a) Every person who is a resident of the county and who is required to inoculate a dog against rabies as denoted in the animal control act, shall be required to register that dog with the county. Registration and payment of the required registration fee must be completed within ten days of the inoculation of the dog. Upon completion of registration and the payment of the registration fee, the administrator shall issue a rabies registration tag for the dog. Such registration may be annually upon a one or three year rabies inoculation. If registration and payment of the fee are not accomplished within ten days after expiration of an annual registration of a three year inoculation, the owner of the dog shall be assessed a late fee in addition to the registration fee required in this section.~~

~~(b) Notice of failure to register shall be given to the owner in accord with the notice provisions denoted in section 10-22 of this article.~~

~~(c) The failure to register a dog following seven days' notice of late registration is a violation of this article.~~

~~(d) All fees chargeable in connection with this article shall be set by the county board. A fee schedule shall be maintained in the office of the county clerk and the county health department. The fee schedule shall be available for review and copying by the public.
(Code 1979, § 4-15)~~

Sec. 10-25. Inoculation Against Rabies Rabies Inoculation Tags.

~~(a) Every owner of a dog four (4) months or more of age, who is a resident of the county, is required to have the animal inoculated against rabies as denoted in the Animal Control Act.~~

~~(b) Every dog shall have a second rabies vaccination within one year of the first vaccination and every year thereafter. However, if the vaccine used is one recognized by the Illinois Department of Agriculture for a three (3) year period of immunity, and the dog is over twelve months of age at the time of inoculation, the interval between inoculations may be extended to three (3) years.~~

(c) Evidence of such rabies inoculation shall be entered on a certificate, the form provided by the Animal Control Division. The inoculation certificate shall be signed by a licensed veterinarian administering the vaccine and a copy provided to the Animal Control Division.

(d) Veterinarians who inoculate a dog shall procure from the Animal Control Division serially numbered rabies inoculations tags, one to be issued with each inoculation certificate.

(e) DeKalb County dog owners who inoculate their dogs at out-of-county veterinarians shall have ten (10) days from the date of inoculation to purchase a rabies inoculation tag.

(f) Failure to obtain and maintain a current rabies inoculation tag shall be a violation of this Article.

(g) Fees chargeable in connection with this Article shall be set by the County Board. A fee schedule shall be maintained in the office of the county clerk and the county health department. The fee schedule shall be available for review and copying by the public.
(Code 1979, 4-15)

Sec. 10-26. Violations and Penalties.

Any person violating or aiding in or abetting the violation of any provisions of this Article, except Section 10-22, or counterfeiting or foregoing any registration certificate, permit or tag, or making any misrepresentation in regard to any matter prescribed by this Article, or resisting, obstructing or impeding the administrator or any authorized officer in enforcing this Article, or refusing to produce for inoculation any dog in his possession not confined at all times to an enclosed area, or who removes a tag from a dog for purposes of destroying or concealing its identity, is guilty of an offense and is subject to punishment as provided in Section 1-13 of this Code.
(Code 1979, § 4-16)

Section 10-27. Reimbursement of owner of domestic animals killed or injured by dogs.

Any owner having sheep, goats, cattle, horses, mules, swine or poultry killed or injured by a dog shall be reimbursed for such losses in accordance within the Animal Control Act, pursuant to 510 ILCS 5/19.
(Code 1979, § 4-17)