

**COUNTY OF KENDALL, ILLINOIS
LAW, JUSTICE AND LEGISLATION COMMITTEE**

**Kendall County Courthouse
Jury Assembly Room
807 W. John Street; Yorkville IL**

**Monday, September 11, 2017 – 3:15 p.m.
Meeting Agenda**



- 1. Pledge of Allegiance to the American Flag**
- 2. Roll Call and Determination of a Quorum:** John Purcell, Matthew Prochaska (Chair), Tony Giles (Vice Chair), Judy Gilmour, Audra Hendrix
- 3. Approval of the Agenda**
- 4. Approval of the August 14, 2017 Committee Meeting Minutes**
- 5. Public Comment**
- 6. Status Reports**
 - ❖ Coroner
 - ❖ Circuit Clerk
 - ❖ Courthouse
 - ❖ Court Services
 - ❖ EMA
 - ❖ KenCom
 - ❖ Public Defender
 - ❖ State's Attorney
 - ❖ Sheriff's Report
 - a. Operations Division
 - b. Corrections Division
 - c. Records Division
- 7. Old Business**
- 8. New Business**
 - *Amendment to Kendall County Noise Ordinance 13-18*
- 9. Legislative Update**
- 10. Public Comment**
- 11. Executive Session**
- 12. Adjournment**

If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630- 553-4171, a minimum of 24-hours prior to the meeting time

COUNTY OF KENDALL, ILLINOIS
Law, Justice and Legislation Committee
Monday, August 14, 2017
Meeting Minutes

Call to Order and Pledge Allegiance - Chair Matthew Prochaska called the meeting to order at 3:15p.m. and led the Pledge of Allegiance.

Roll Call: Member Prochaska - here, Member Gilmour – here, Member Purcell – here. **With three members present voting aye, a quorum was determined to conduct business.**

Members Absent: Audra Hendrix

Member Giles entered the meeting at 3:17 p.m.

Others Present: Sheriff Dwight Baird, EMA Director Joe Gillespie, Circuit Clerk Robyn Ingemunson, Deputy Commander Jason Langston, Undersheriff Harold Martin, Judge Robert Pilmer, Commander Mike Peters, Facilities Director Jim Smiley, Court Administrator Nicole Swiss, Public Defender Victoria Chuffo, Assistant State’s Attorney Leslie Johnson, Acting County Administrator Scott Koepfel

Approval of the Agenda – Member Gilmour made a motion to approve the agenda, second by Member Purcell. **With three members present in agreement with the amendment, the motion carried.**

Approval of Minutes – Member Gilmour made a motion to approve the July 10, 2017 Law, Justice and Legislation Committee Meeting Minutes, second by Member Purcell. Member Purcell asked for the record to show he was on time for the July meeting. Chairman Prochaska agreed.

Public Comment – None

- ❖ **Coroner** – Written report provided. Coroner Purcell was absent due to performing an autopsy.
- ❖ **Circuit Clerk** – Written report provided. Ms. Ingemunson stated that could be looking to purchase an e-records system soon after seeing how it works in McHenry County. In addition, they are looking at case management system in the future to help increase efficiency. She clarified that the e-records system would be purchased this fiscal year and the case management in a future fiscal year. Member Purcell asked where the costs would be budgeted from. Ms. Ingemunson stated it would come out of court automation.
- ❖ **Courthouse** – Judge Pilmer updated that an October there will most likely be a bond call.
- ❖ **Court Services** – Written report provided.

- ❖ **EMA** – Director Joe Gillespie updated the committee on tated that the Unified Command post was at several events. In addition, they have trained with multiple agencies for search and rescues. Finally, last month they tested the warning systems around the County. Written report provided.
- ❖ **KenCom** – No report was provided.
- ❖ **Public Defender** – Vicky Chuffo handed out her report to the Committee. There was an increase in most types of cases, and that they will be doing bond calls in October.
- ❖ **State’s Attorney** – Assistant State’s Attorney Johnson stated that she had no information for the Committee.
- ❖ **Sheriff’s Report**
 - a. **Operations Division** – Written report provided. Deputy Commander Jason Langston stated that the Sheriff’s Office participated in National Night Out and the Kendall County Fair as part of community relations
 - b. **Corrections Division** – Written report provided. Undersheriff Martin stated that the Jail will go live with video visitation on August 21.
 - c. **Records Division** – Written report provided. Undersheriff Martin stated that both sales and eviction were down.

Old Business - None

New Business

- *Approval of the American Correctional Association Accreditation Contract – Sheriff’s Office* – Member Purcell motioned to approve the contract. Member Gilmour seconded. Undersheriff Martian stated this was for accreditation for three years the County Jail. The audit will begin September 18 and end on the 19th. The results will be given in January. He stated there are currently only seven accredited jails in Illinois. Cost is \$9,000 and is budgeted in this fiscal year. **With four ayes, the motion passed.**
- *Discussion of Property Maintenance Code Ordinance* – Mr. Koepfel stated that it came up at the PBZ Committee that there are little enforceable codes in relation to property maintenance. As part of the process to review and update, County Board Chairman Gryder asked that this Committee review the subject. Mr. Asselmeier added that because there is no property maintenance code there is no way to deal with issues like derelict buildings. The Committee discussed the need for additional ordinances and codes. In relation to existing codes and ordinances on the books the Committee felt they should first be reviewed to avoid possible duplication. In addition, the Committee directed staff to gather complaints about building issues and to bring it back at a future time.
- *Discussion of Nuisance Ordinance* – The Committee combined the Nuisance Ordinance with the previous topic.

Legislative Update – Chair Prochaska stated that the State of Illinois passed a budget that would cost the County roughly \$650,000 per year. He continued that at a future meeting there may be an item from the United Counties Council of Illinois on a possible way to recapture some of those funds.

Executive Session – Not needed

Public Comment – None

Items for Committee of the Whole - None

Action Items for County Board – None

Adjournment – Member Giles made a motion to adjourn the meeting, second by Member Purcell.
With all in agreement, the meeting adjourned at 3:50 p.m.

Respectfully Submitted,

Andrez Beltran

Economic Development and Special Projects Coordinator



KENDALL COUNTY CORONER
— JACQUIE PURCELL —

Description	**	Month: August 2017	Fiscal Year-to-Date	August 2016
Total Deaths		24	243	197
Natural Deaths		19	212	28
Accidental Deaths				
Overdose	*	3	11	0
Motor Vehicle		1	5	0
Other		1	3	1
Pending		0	3	0
Suicidal Deaths	*	0	8	2
Homicidal Deaths		0	1	0
Toxicology		4	28	1/15
Autopsies		3	26	3/23
Cremation Authorizations		12	141	20/121

**

Accidental Death(s) (Overdose)

1. 08/09/2017 – Oswego – 46yo Female, Heroin Toxicity
2. 08/09/2017 – Sandwich – 69yo Male, Traumatic Asphyxiation Due to Tractor Rollover
3. 08/13/2017 – Plainfield – 45yo Male, Fentanyl Intoxication
4. 08/20/2017 – Oswego – 46yo Male, Heroin Toxicity
5. 08/23/2017 – Yorkville – 26yo Male, Blunt Force Trauma Due to Auto vs. Auto Collision

PERSONNEL/OFFICE ACTIVITY:

1. No report.

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Robyn Ingemunson
Clerk of the Circuit Court
Monthly Case Statistical Report

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD 2017	YTD 2016
AD Adoption	1	3	3		3	5	3	1					19	12
CC Contempt of Court	3	4	6		4	2	1	5					25	1
CF Criminal Felony	39	24	37	31	29	34	31	30					255	312
CH Chancery	39	42	43	31	28	36	28	35					282	311
CL Civil Law Violation	33	14	20	23	20	18	18	9					155	2
CM Criminal Misdemeanor	49	50	69	57	58	74	75	66					498	767
CV Conservation Violation	4	0	7	2	4	0	9	5					31	15
D Divorce - Dissolution	36	31	44	32	37	36	38	49					303	296
DT Traffic DUI	15	15	21	13	15	13	19	12					123	158
ED Eminent Domain	4				1								5	3
F Family	3	1	10	13	7	11	5	10					60	101
J Juvenile	3	2	5			5							15	7
JA Juvenile Abuse/Neglect	0	1	6		2	4	1	3					17	7
JD Juvenile Delinquent	11	7	13	20	29	15	19	22					136	161
L Law	2	10	6	12	9	12	5	6					62	64
LM Law Medium	57	46	63	52	70	62	69	50					469	474
MC Municipal	0	0	0	0	0	0	0	0					0	0
MH Mental Health	1	1	0	1	1	1							5	1
MR Misc Remedies	30	27	28	27	23	24	28	29					216	288
OP Order of Protection	27	22	24	28	27	38	42	40					248	249
OV Ordinance Violation		3	1	2		4	1	2					13	22
P Probate	10	6	14	10	12	12	13	7					84	101
SC Small Claims	88	153	100	92	135	151	88	154					961	809
TR Traffic	521	569	575	443	438	474	510	665					4195	5438
TX Tax	11				2	20	3	2					38	46
WI Wills	16	21	19	10	20	14	23	22					145	116
X Misc								3					3	3
TOTAL CASES	1003	1052	1114	899	974	1065	1029	1227					8363	9764

Difference..... 1401 Cases

Robyn Ingemunson
Clerk of the Circuit Court
Yearly Case Statistical Report

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
AD Adoption	25	31	19	21	21	19	14	15	17	19
CC Contempt of Court	2	6	7	3	7	3	7	3	9	25
CF Criminal Felony	501	515	405	429	411	407	422	404	419	253
CH Chancery	1253	1520	1858	1393	1536	865	580	488	440	282
CL Civil Law Violation									72	155
CM Criminal Misdemeanor	1401	1536	1287	1222	1231	1059	1114	1079	990	500
CV Conservation Violation	42	67	58	31	42	51	41	29	22	31
D Divorce - Dissolution	341	451	469	466	429	450	401	408	415	303
DT Traffic DUI	339	387	253	290	287	236	245	249	211	123
ED Eminent Domain	1		5	34	41	1	6	13	5	5
F Family	184	142	170	156	122	138	147	111	170	60
J Juvenile	3	4	4	3	1	7	10	16	10	15
JA Juvenile Abuse/Neglect	21	21	32	19	16	18	36	22	9	17
JD Juvenile Delinquent	279	289	316	260	263	256	241	300	226	136
L Law	94	138	141	106	88	117	111	107	98	62
LM Law Magistrate	896	1042	1154	1127	935	826	798	733	687	469
MC Municipal			2				1	1		
MH Mental Health			1	1	2	1	1	2	1	5
MR Misc Remedies	133	169	170	153	197	190	251	265	387	216
OP Order of Protection	140	134	117	161	161	226	281	308	361	248
OV Ordinance Violation	503	297	112	91	88	79	38	17	34	13
P Probate	109	115	104	124	108	120	134	135	147	84
SC Small Claims	1173	1649	1795	1479	1418	1350	1333	1105	1144	961
TR Traffic	18158	19241	16867	12300	12170	11589	10215	9200	7800	4195
TX Tax	21	35	59	66	65	75	48	40	49	38
WI Wills	139	156	178	169	142	174	169	172	171	145
X Misc Remedies	4	3	3	6	4	4	3	3	3	3
TOTAL CASES	25762	27948	25586	20110	19785	18261	16647	15225	13897	8363

		2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	TOTAL
AD	ADOPTION											
	0801 AD - ADOPTION	25	31	18	21	19	19	14	15	17	19	198
	0817 AD - ADOPT UMBORN CHILD			1		2						3
	TOT ADOPTION	25	31	19	21	21	19	14	15	17	19	201 *
CC	CONTEMPT OF COURT											
	11 Contempt Of Court	2	6	7	3	7	3	7	3	9	25	72
	TOT CONTEMPT OF COURT	2	6	7	3	7	3	7	3	9	25	72 *
CF	Criminal Felony											
	10 Criminal Misdemeanor				1							1
	14 Criminal Felony	501	515	405	428	411	407	422	404	419	253	4,165
	TOT Criminal Felony	501	515	405	429	411	407	422	404	419	253	4,166 *
CH	CHANCERY											
	L Law											
	0131 TRANSFER L (223)				2	3	2	2		1	1	1
	0701 CH - INJUNCTION (EXCEPT T	6	4	4	3	3	4	5	7	10	1	11
	0702 CH - REAL ESTATE MORTG FO	1,215	1,486	1,399	9	4	12	14	11	8	8	4,166
	0703 CH - MECHANIC LIEN FORECL	17	18	13	4	15	2	3	2	4	3	81
	0704 CH - FORECLOSE SEC/INTERE	1	2	1	1	1				2	1	9
	0705 CH - PARTNERSHIP DISSOLUT									1		1
	0706 CH - SPECIFIC PERFORMANCE	1		2		1	3	1	1		2	11
	0707 CH - PARTITION	2	1	1	3					3	1	16
	0712 CH - TRUST ADMINISTRATION		1	2			1	1	3	1	1	6
	0713 CH - QUIET TITLE				2		3	1	4	1	1	11
	0714 CH - COMPLAINT IN EQUITY		2	1	3		1	1	2	1	4	15
	0715 CH - ACCOUNTING	2	2								1	6
	0717 CH - RESCISSION OF CONTRA	2										2
	0718 CH - CREDITORS COMPLAINT	2		1								3
	0720 CH - SETTING ASIDE A DEED		1									1
	0721 CH - FORECLOSURE ON CONDO									1	1	2
	0722 CH - INTERPLEADER	1	1	1				1			2	6
	0723 CH - REGISTRATION OF FORE	2				2						4
	0724 CH - STRUCTURED SETTLEMEN					1	2		1			4
	0725 CH-PETN ESTATE MORTGAGE F			427	1,357	1,493	830	542	448	392	250	5,739
	0726 CH-PETN FOR FORECLOSURE C			2	9	6	1	1	1	1	1	22
	0730 CH - OTHER (SPECIFY)	2	2	5	1	4	4	7	7	13	4	49
	0831 TRANSFER							1				1
	1002 J - SUPERVISION				1							1
	TOT CHANCERY	1,253	1,520	1,858	1,393	1,536	865	580	488	440	282	10,215 *
CL	CIVIL LAW VIOLATION											
	23 CIVIL LAW VIOLATION									72	155	227
	TOT CIVIL LAW VIOLATION									72	155	227 *
CM	Criminal Misdemeanor											
	10 Criminal Misdemeanor	1,401	1,535	1,287	1,222	1,231	1,059	1,114	1,079	990	500	11,418
	14 Criminal Felony		1									1
	TOT Criminal Misdemeanor	1,401	1,536	1,287	1,222	1,231	1,059	1,114	1,079	990	500	11,419 *
CV	CONSERVATION VIOLATION											
	20 Traffic	2		1								3
	21 Conservation Violation	40	67	57	31	42	51	41	29	22	31	411
	TOT CONSERVATION VIOLATION	42	67	58	31	42	51	41	29	22	31	414 *

To: Kendall County Board * Law, Justice and Legislation Committee
From: Tina J. Varney, Director * Kendall County Court Services
Date: September 11, 2017
Re: Juvenile Detention and Board & Care Monthly Report

Juvenile Detention - FY2017 ~ Costs Incurred

Kendall County Court Services FY2017 Summary - Juvenile Detention				Same Time FY2016	Same Time FY2015	Same Time FY2014	Same Time FY2013	Same Time FY2012	
Month	Total New Admissions	Total Holdovers*	Total Days	Total Cost Incurred					
12/2016	6	2	79	\$8,690.00	\$15,620.00	\$3,000.00	\$3,400.00	\$5,500.00	\$3,870.00
01/2017	12	3	96	10,560.00	15,180.00	8,400.00	7,600.00	6,500.00	6,480.00
02/2017	5	4	137	15,070.00	11,110.00	4,100.00	9,400.00	8,010.00	11,720.00
03/2017	3	4	90	9,900.00	3,410.00	2,300.00	4,300.00	13,300.00	11,970.00
04/2017	6	3	124	13,640.00	5,940.00	2,400.00	3,000.00	9,200.00	5,850.00
05/2017	1	3	51	5,610.00	4,180.00	7,800.00	11,510.00	3,500.00	7,830.00
06/2017	1	0	57	6,270.00	11,660.00	5,500.00	13,600.00	6,800.00	4,050.00
07/2017	2	1	14	1,540.00	10,120.00	8,400.00	8,700.00	9,500.00	5,580.00
08/2017	5	0	35	3,850.00	11,880.00	7,400.00	6,300.00	16,730.00	7,290.00
09/2017					2,640.00	16,000.00	11,200.00	10,700.00	6,930.00
10/2017					5,610.00	15,440.00	5,600.00	10,300.00	5,940.00
11/2017					11,110.00	15,100.00	1,400.00	3,700.00	8,010.00
TOTAL	41		683	\$75,130.00	\$108,460.00	\$95,840.00	\$86,010.00	\$103,740.00	\$85,520.00

*Holdover=A minor detained on the last day of the previous month carried over to the first day of the current month.

Kendall County Fiscal Year 2017 (Juvenile Detention):

Amount Budgeted: \$ 90,000.00
 Amount Expended: 82,390.00 (as of 08/31/2017)
 Amount Remaining: \$ 7,610.00

Juvenile Board & Care - FY2017 ~ Costs Incurred

	Number of Minors Placed	Days Paid	Total Monthly Cost Incurred	Total Cost Incurred
12/2016	2	62	\$16,888.49	\$16,888.49
01/2017	2	54	15,246.73	32,135.22
02/2017	1	28	9,507.96	41,643.18
03/2017	1	31	10,526.67	52,169.85
04/2017	1	30	10,187.10	62,356.95
05/2017	1	31	10,526.67	72,883.62
06/2017	1	30	10,187.10	83,070.72
07/2017	1	31	10,526.67	93,597.39
08/2017	1	31	10,526.67	104,124.06
09/2017				
10/2017				
11/2017				
TOTAL				

Kendall County Fiscal Year 2017 (Juvenile Board & Care):

Amount Budgeted: \$ 90,000.00
 Amount Expended: 107,068.01 (as of 08/31/2017)
 Amount Remaining: \$(17,068.01)

Kendall County Emergency Management Agency

1102 Cornell Lane, Yorkville Illinois 60560

630-553-7500

Joseph T. Gillespie, Director

Tracy Page, Deputy Director

EMA Report

August 2017

1. Unified Command Post (UCP) went to:
 - a. Kendall County Fair
 - b. Montgomery Fest
 - c. Mobile Field Training

2. EMA Search and Rescue hosted a training session
 - a. GPS Basics Training- attended by four mutual aid agencies

3. EMA Search and Rescue callouts
 - a. Search for suicidal subject in Schiller Park, found safe
 - b. Search for 79 year old dementia subject, found safe at neighboring home

4. Grant Documentation Submitted for FY 2018

5. Held monthly business meeting

6. Continued with siren testing on the first Tuesday morning of the month

7. Continued with STARCOM testing first Tuesday morning of the month

8. Continued with WSPY EAS testing first Tuesday morning of the month

KenCom Public Safety Dispatch Center

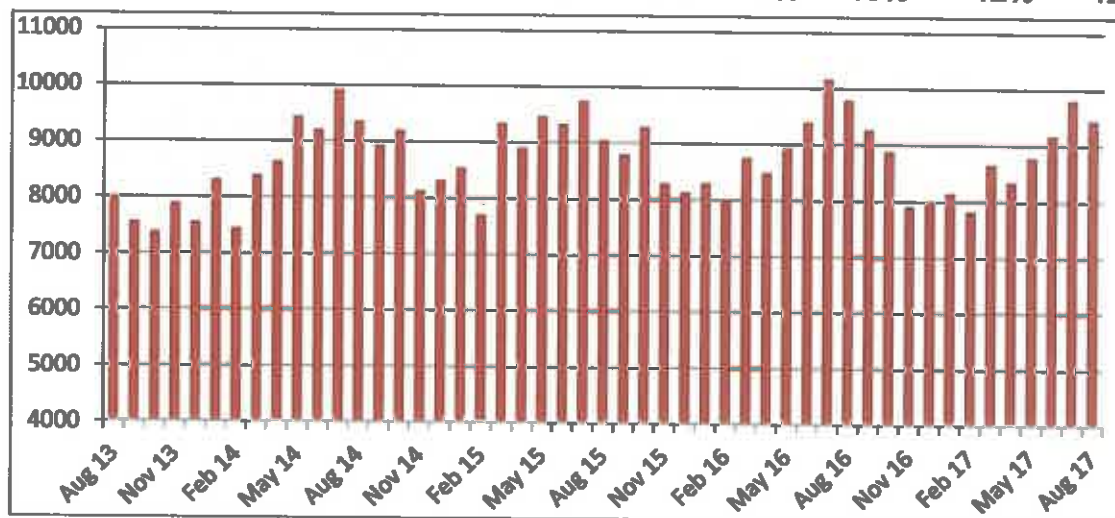
Police, Fire and EMS Activity Report

August 2016 through August 2017

	Aug 16	Sept 16	Oct 16	Nov 16	Dec 16	Jan 17	Feb 17	Mar 17	Apr 17	May 17	June 17	July 17	Aug 17
Kendall County Sheriffs Police	2518	2234	2234	1809	1857	2021	1832	1798	1834	1852	1870	2231	2078
Oswego Police Department	2272	2145	2008	1686	1699	1761	1873	2170	1930	2039	2165	2177	2245
Yorkville Police Department	1170	1125	1075	956	882	917	894	954	995	1026	988	1116	1103
Plano Police Department	749	723	651	571	607	592	578	619	689	768	944	930	857
Montgomery Police Department	1569	1507	1486	1430	1460	1487	1338	1578	1466	1559	1547	1725	1596
DI (dispatch information)	331	365	347	349	327	296	307	365	372	389	471	459	429
Total Police Incidents	8609	8099	7801	6801	6832	7074	6822	7484	7286	7633	7985	8638	8308
Oswego Fire/EMS	460	450	418	429	491	420	386	438	406	454	464	447	430
Bristol Kendall Fire /EMS	258	252	227	259	268	231	236	278	240	234	232	271	254
Little Rock Fox Fire/EMS	125	120	132	101	112	121	95	146	95	113	125	123	108
Newark Fire/EMS	27	27	23	25	26	26	19	32	32	32	42	26	28
Lisbon/Seward Fire	15	17	17	12	16	12	20	22	21	20	30	16	14
Sandwich Fire	102	143	105	105	113	100	92	121	99	118	133	109	100
Aurora Township Fire	71	49	59	58	45	61	57	48	62	66	64	65	69
Montgomery/Countryside Fire	106	89	80	105	96	85	86	79	81	89	79	94	116
Total Fire & EMS Incidents	1164	1147	1061	1094	1167	1056	991	1164	1036	1126	1169	1151	1119
Total Police, Fire & EMS	9773	9246	8862	7895	7999	8130	7813	8648	8322	8759	9154	9789	9427
% of Police calls to total	88%	88%	88%	86%	85%	87%	87%	87%	88%	87%	87%	88%	88%
% of Fire/EMS to total	12%	12%	12%	14%	15%	13%	13%	13%	12%	13%	13%	12%	12%

	Police	Fire / EMS	Total Calls
Aug 16	8609	1164	9773
Aug 17	8308	1119	9427
Increase or () decrease in year	-301	-45	-346
	-3.5%	-3.9%	-3.5%

Note: Chart on right is data for last 5 years



KenCom Public Safety Dispatch Center
Incoming Telephone Call Load Study
For the Month of August 2017

	Montgomery Police	Yorkville Police	Plano Police/Fire	Oswego Police	Millington Police	Kendall County Sheriff's Office	Fire Non Emerg	Police Non Emerg	9-1-1 Calls		Oswego Fire/EMS	B-K Fire/EMS	Sandwich Fire & EMS	KenCom Ext.	KenCom Admin	Daily Totals
									Landline	Cellular						
1	24	28	18	19	0	59	30	54	44	76	1	2	4	51	99	485
2	38	15	15	30	0	32	18	59	32	99	5	3	0	66	110	484
3	43	15	14	27	0	46	22	48	27	90	0	2	4	54	97	446
4	39	24	22	24	0	66	15	60	38	81	2	1	2	65	104	504
5	34	13	16	31	0	46	15	55	29	98	0	0	1	24	78	406
6	32	10	11	19	0	58	16	55	25	97	0	0	0	27	121	439
7	39	14	18	27	1	44	13	35	30	70	0	1	1	53	90	397
8	24	15	12	28	0	52	13	38	20	84	0	0	2	53	70	387
9	24	18	18	28	0	54	26	67	34	85	0	0	3	57	95	485
10	10	23	21	33	1	47	18	68	20	82	0	0	3	46	89	451
11	33	13	21	44	0	66	11	53	23	105	0	0	2	55	104	497
12	37	12	17	33	0	70	16	64	26	110	0	0	1	40	125	514
13	33	25	21	26	0	55	8	67	28	93	0	0	1	26	97	447
14	44	11	20	28	0	71	19	31	33	85	1	2	2	42	95	440
15	35	12	24	32	0	55	16	47	24	82	0	1	1	56	78	428
16	42	23	23	47	2	51	13	56	23	103	1	3	2	72	128	547
17	43	14	20	19	1	52	19	46	22	60	1	2	7	50	88	401
18	53	27	20	26	2	80	23	62	33	81	1	2	2	64	144	567
19	29	24	19	21	0	47	11	52	22	104	0	0	0	21	106	427
20	41	17	18	26	0	64	20	51	30	96	2	0	0	28	84	436
21	42	18	25	39	0	58	20	49	36	96	0	0	0	50	90	481
22	31	18	16	45	0	46	20	59	21	87	0	1	3	79	85	480
23	46	28	25	33	0	74	35	60	39	87	1	1	2	66	81	532
24	37	30	11	27	2	66	10	60	27	68	0	0	2	66	104	473
25	40	15	21	28	0	60	9	73	38	96	0	0	0	66	118	524
26	26	23	15	36	0	54	14	64	20	80	0	0	0	34	87	427
27	24	16	23	30	2	46	11	58	30	110	3	0	0	24	70	423
28	41	21	18	15	0	61	18	58	19	87	1	1	8	60	95	462
29	35	11	26	26	0	55	21	52	26	81	0	0	5	71	101	475
30	38	23	18	28	0	72	29	75	24	90	1	3	3	63	104	533
31	34	16	14	26	1	49	18	50	32	89	0	0	0	64	124	483
	1091	572	580	901	12	1756	547	1726	875	2752	20	25	61	1593	3061	15572
%	7%	4%	4%	6%	0%	11%	4%	11%	6%	18%	0%	0%	0%	10%	20%	100%

Total calls for all departments 15572

Total 9-1-1 Calls 3627

Cell 9-1-1 Calls = 76%

of all 9-1-1 calls

TO: Law, Justice and Legislation Committee Members

FROM: Victoria Chuffo, Public Defender; Monthly Report VC

NUMBER OF CASES ASSIGNED TO EACH PUBLIC DEFENDER
AS OF SEPTEMBER 11, 2017

VICTORIA CHUFFO, Public Defender

- 82 cases / last month 75 cases - Felony cases

COURTNEY TRANSIER, First Asst. Public Defender

- 111 cases / last month 102 cases - Felony cases

MICHAEL MONTGOMERY, Asst. Public Defender

- 264 cases / last month 266 cases - Felony/ Juvenile cases

REID SEAGREN, Asst. Public Defender

- 243 cases/ last month 267 cases - Misdemeanor/Traffic cases

CHRISTOPHER WARMBOLD, Asst. Public Defender

- 228 case/ last month 223 cases -
Misdemeanor/Traffic/Juvenile Cases

My office has been appointed a total of 166 new cases between August 14, 2017 and September 11, 2017. The Kendall County Public Defender's Office currently has 928 open cases as of today's date; September 11, 2017. The Public Defender felony and driving under the influence appointments have increased from last month.

KENDALL COUNTY SHERIFF'S OFFICE

MONTH-END REPORT



AUGUST

2017

OPERATIONS DIVISION

POLICE SERVICES	August-16	August-17
Calls for Service	776	857
Police Reports	337	333
Total Arrests	130	90

TRAFFIC SERVICES	August-16	August-17
Traffic Contacts	645	306
Traffic Citations Issued	271	154
DUI Arrests	6	6
Zero Tolerance	0	0

TRAFFIC CRASH INVESTIGATIONS	August-16	August-17
Property Damage	32	36
Personal Injury	13	9
Fatalities	0	0
TOTAL CRASH INVESTIGATIONS	45	45

VEHICLE USAGE	August-16	August-17
Total Miles Driven by Sheriff's Office	69,017	60,392
Vehicle Maintenance Expenditures	\$2,846.01	\$4,130.08
Fuel Expenditures	\$10,804.71	\$9,772.15
Fuel Gallons Purchased	5,621	4,665

AUXILIARY DEPUTIES	August-16	August-17
Ride-A-Long Hours	22.75	0
Auxiliary Hours	69	112.50
TOTAL AUXILIARY HOURS	91.75	112.5

EVIDENCE/PROPERTY ROOM	August-16	August-17
New Items Into Property Room	92	105
Disposal Orders Processed	68	15
Items Disposed Of	3	10
DVD/VHS Copy Requests	74	62
Items Sent to Crime Lab for Processing	7	15
Items Processed by Evidence Custodian	0	1
Pounds of Prescription Medication Collected from Drop Box Program		54.75

COURT SECURITY	August-16	August-17
Entries	16,804	17,915
Items X-rayed	5,456	5,516
Bond Call	78	68
Kendall Prisoners	144	124
Other Prisoners	20	30
Arrests made at Courthouse	21	22
Contraband Refused	99	108

INVESTIGATIONS/COPS ACTIVITIES	August-16	August-17
Total Cases Assigned (Patrol/Invest)	42	43
Total Cases Closed (Patrol/Invest)	41	37
Total Current Open Cases (Patrol/Invest)	94	157
Community Policing Meetings/Presentations	14	26

CORRECTIONS DIVISION

JAIL POPULATION	August-16	August-17
New Intake Bookings	220	262
Inmates Released	223	260
Average Daily Population	119	143
Kendall County Inmate ADP		59

JAIL MEALS	August-16	August-17
Number of Meals Prepared Kendall	0	0
Price Per Meal	0	0
Number of Meals Prepared Consolidated Food	10,235	12,464
Price Per Meal	\$1.32	\$1.23

INMATE TRANSPORTS	August-16	August-17
To and From Kendall County Courthouse	160	110
Other County Court Transports	7	2
Out of County Prisoner Pickups	28	31
To I.D.O.C	7	4
Medical/Dental Transports	6	12
Court ordered medical transports	1	4
Juvenile To and From Youth Homes/Courts	31	11
Federal Transports	6	18
TOTAL INMATE TRANSPORTS	246	192

INMATE WORK CREWS	August-16	August-17
Number of Inmates	7	6
Number of Locations	4	1
Total Hours Worked	24	8

OUT OF COUNTY HOUSING	August-16	August-17
Number of Inmates Housed for Other Jurisdictions	32	88
Amount Invoiced for Inmates Housed for Other Jurisdictions	\$42,780.00	\$113,340.00

FEDERAL INMATES	August-16	August-17
Number of Federal Inmates Housed	9	15
Amount Invoiced for Housing	\$18,600.00	\$30,825.00
Amount Invoiced for Court Transport	\$2,411.26	\$5,256.33
Amount Invoiced for Medical Transport	\$0.00	\$0.00

MEDICAL BILLING	August-16	August-17
Medical Contractual Services	\$13,507.13	\$14,470.24
Prescriptions	\$8,429.48	\$6,331.76
Medical	\$550.35	\$5,461.93
Dental	\$325.80	\$144.20
Emergency Medical Services	\$0.00	\$0.00
Medical Supplies	\$0.00	\$5.58
TOTAL MEDICAL BILLING	\$22,812.76	\$26,413.71

Outstanding FTA Fees	August-16	August-17
FTA Fees- Outstanding	\$300.00	\$450.00

Sex Offender / Violent Offenders Against Youth Registrations	August-16	August-17
Sex Offender Registrations	13	14
Sex Offender - Address Verifications Completed	6	0
Sex Offender - Address Verification Attempted	7	0
Total # of Sex Offenders- Jurisdiction/Entire County		31/67
Violent Offenders Against Youth Registrations	5	4
VOAY - Address Verification Completed	0	0
VOAY - Address Verification Attempted	0	0
Total # of VOAY- Jurisdiction/Entire County		3/14

RECORDS DIVISION

SHERIFF SALES	August-16	August-17
Sales Scheduled	31	43
Sales Cancelled	20	20
Sales Conducted	11	23

CIVIL PAPERWORK	August-16	August-17
Papers Served	205	256

REPLEVINS/LEVY	August-16	August-17
Replevin/Levy Scheduled	0	0
Replevin/Levy Conducted	0	0

SUBPOENA/FOIA REQUESTS	August-16	August-17
Accident Reports	42	42
Background Checks	26	27
Incidents	67	79
Subpoenas	4	1
Total Requests	139	149

WARRANTS	August-16	August-17
Total Warrants on File	1,604	1,362
New Warrants Issued	115	124
Total Warrants Served	118	119
Warrants Quashed	97	42

EVICCTIONS	August-16	August-17
Evictions Scheduled for Month	21	18
Evictions Cancelled	7	9
Evictions Conducted	14	9

FEES	August-16	August-17
Civil Process Fees	\$7,619.50	\$8,454.00
Sheriff Sales Fees	\$13,200.00	\$11,100.00
Records Fees/Fingerprinting	\$235.00	\$255.00
Bond Processing Fees	\$821.15	\$1,106.56
Total Fees	\$21,875.65	\$20,915.56

KCSO TRAINING**CORRECTIONS DIVISION**

August-16

August-17

NATURE OF TRAINING

CERT		120
Web Based Training		122.75
Basic Corrections Academy		200
Corrections Cell Door Pass Through Clearing Device		16.5
Jail Exercise Practical		122.5
Sex Offender Registrations		90
Criminal Related Interviewing: CRIME 123		8
Breath Alcohol Operator		16
Verbal Judo		16
TOTAL HOURS	348.5	711.75

OPERATIONS DIVISION

August-16

August-17

NATURE OF TRAINING

Basic Law Enforcement Academy		200
Web Based Training		241
Key Court Date		3.75
Courtroom Testimony		119
Roll Call		16
Domestic Violence		136.5
Hidden Crimes: Elder Abuse and Stalking		24
Decision Making for Critical Incident		8
Criminal Related Interviewing: CRIME 123		8
40 Hour Basic Investigation Skills		40
Celebrite Recertification CCO+CCPA		5
Verbal Judo		16
Unmanned Aerial Vehicle (Drone)		8
TOTAL HOURS	505	825.25

COURT SECURITY

August-16

August-17

NATURE OF TRAINING

Domestic Violence		7
Hidden Crimes: Elder Abuse and Stalking		8
Arrest Warrant Service		8
Tactical Trauma and Shock Management: Train the Trainer		16
Web Based Training		2
TOTAL HOURS	39.5	41

CORRECTIONS/OPERATIONS COMBINED

August-16

August-17

NATURE OF TRAINING

SRT	40	48
TOTAL HOURS	40	48

RECORDS DIVISION

August-16

August-17

NATURE OF TRAINING

Evidence and Records: Retention & Destruction		8
Web Based Training		4
TOTAL HOURS	0	12

AUXILIARY

August-16

August-17

Meeting/Training Hours		21
TOTAL HOURS	36.75	21

KENDALL COUNTY, ILLINOIS
ORDINANCE NO. 13-18

ORDINANCE REGULATING NOISE OUTSIDE THE CORPORATE LIMITS OF ANY CITY, VILLAGE OR INCORPORATED TOWN IN KENDALL COUNTY, ILLINOIS

WHEREAS, the County of Kendall has the authority pursuant to 720 ILCS 5/47-5 to declare what shall be public nuisances and to abate the same with respect to the territory within the county and outside the corporate limits of any city, village, or incorporated town; and

WHEREAS, pursuant to the Illinois County Code 55 ILCS 5/5-12001, the County of Kendall also has the authority to regulate and restrict the location and use of buildings, structures and land for trade, industry, residence and other uses and to regulate and restrict the intensity of such uses, for the purpose of promoting the public health, safety, morals, comfort and general welfare, and conserving the values of property throughout the county; and

WHEREAS, the County of Kendall seeks to control noise in its residential districts for the purpose of protecting the public health, safety, morals, comfort, and general welfare of its residents, and;

WHEREAS, the County of Kendall seeks to conserve the value of property throughout the county, and to prevent noise pollution in that excessive noise endangers physical and emotional health and well-being, interferes with legitimate business and recreational activities, depresses property values, offends the senses, creates public nuisances, and in other respects reduces the quality of our environment.

NOW, THEREFORE, BE IT ORDAINED by the County Board of the County of Kendall, State of Illinois that hereafter Residential Zoning Districts which lie outside of

the corporate limits of any City, Village or Town and lying within the corporate limits of Kendall County, Illinois shall be subject to the following:

ARTICLE I - Title:

This ordinance shall hereinafter be known as the "Kendall County Noise Control Ordinance" and may be so cited.

ARTICLE II – Definitions & Rules of Construction:

Except as specifically stated herein, the definitions of terms used in this Ordinance shall have their regular and usual meaning as indicated by common dictionary definition. However, all definitions of acoustical terminology used in this chapter shall be in conformance with applicable publications of the American National Standards Institute (ANSI) or its successor body. Words importing the singular number may extend and be applied to several persons or things. Words importing the plural number may include the singular. Words importing gender may be applied to both male and female.

ARTICLE III - Applicability:

This Ordinance's noise regulations shall apply in unincorporated Residential Zoning Districts, except where otherwise exempt under this Ordinance. Any person, including, but not limited to, the subject property's owner, agent, tenant, visitor and/or other occupant of the property who violates any provisions of this Ordinance, shall be liable for such noncompliance as further set forth herein.

Notwithstanding the above, a property owner shall be held liable for a violation under this ordinance if the County establishes by a preponderance of the evidence that he/she is legally accountable for the conduct giving rise to the violation, acquiesced to the conduct, and/or knew or should have reasonably known of the conduct occurring or that the conduct was likely to occur.

A Person for the purpose of this Ordinance shall be any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, or any legal successor, representative, agent or agency of the foregoing.

ARTICLE IV – Measurement / Weighted Sound Level:

Measurement of sound for the purpose of this Ordinance shall be obtained using a device that utilizes the proper frequency sound weighting. Weighted Sound Level is the sound pressure level decibels as measured on a sound level meter using the A weighing network. The level so read is designated dB(A) or dBA.

ARTICLE V – Prohibited Activity:

(A) During Day Hours:

No person shall make, continue, or cause to be made the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty (60) dBA when measured at any point within such receiving residential land; provided, however, that point of measurement shall be on the property line of the complainant. Further, no person shall permit any sound as described herein to be made in or upon any house, premises or property owned or possessed by them or under their management and or control.

(B) During Night Hours:

No person shall make, continue, or cause to be made the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty five (55) dBA when measured at any point within such receiving residential land; provided, however, that point of measurement shall be on the property line of the complainant. Further, no person shall permit any sound as described herein to be made in or upon any house, premises or property owned or possessed by them or under their management and or control.

(C) Sound emissions in violation of (A) and (B) above are hereby declared to be a public nuisance.

(D) For the purposes of determining violations of (A) and (B) above within attached multiple family structures/multiple unit developments such as apartments, condominiums and townhomes, the point of measurement shall be the outer property line of the multiple family structures/multiple unit developments and not at the dividing walls between individual units in said structures.

ARTICLE VI - Exemptions:

The following exemptions to violation of this Ordinance shall apply:

(A) Emergency Operations: Emergency short term operations which are necessary to protect the health, safety and welfare of the citizens, such as emergency utility and street repair, fallen tree removal or emergency fuel oil delivery shall be exempt, provided that reasonable steps shall be taken by those in charge of such operations to minimize noise emanating from the same. Emergency operations by fire and rescue services and police agencies shall also be exempt.

(B) Noises Required by Law: The provisions of this chapter shall not apply to any noise required specifically by law for the protection or safety of people or property.

- (C) **Powered Equipment:** Powered equipment, such as air conditioners, lawn mowers, small lawn and garden tools, riding tractors and snow removal equipment which is necessary for the maintenance of property, is kept in good repair and maintenance, and which equipment, when new, would not comply with the standards set forth in this chapter, shall be exempted. Good repair for the purpose of this exemption shall be when the equipment at issue is in a condition that meets factory specifications and is properly maintained to prevent any excessive or unusual noise. However, the use of radios or other sound/entertainment devices on such equipment shall not be exempted if listened to at a level otherwise violating the terms of this Ordinance.
- (D) **Community Events:** The term "community events" shall include such things as parades, festivals, drum corps shows, sports events and Fourth of July celebrations, which are sanctioned or sponsored in whole or in part by local governments, schools or charitable or service organizations.
- (E) **Agricultural Noise:** Specifically excluded from the provisions of this Ordinance is noise generated by agricultural equipment on land zoned and/or used for agricultural purposes.
- (F) **Motor Vehicles:** Nothing herein shall be construed as a limitation on the operation of duly registered motor vehicles as defined in the Illinois Motor Vehicle Code, which are not in violation of 625 ILCS 5/12-602.
- (G) **Work performed by a public body:** Any work performed by or on behalf of a public body, including that which is performed by subcontractors, shall be exempted. Such activities may include, but are not limited to, routine maintenance work, road and bridge construction and emergency repairs.
- (H) **Motorcycles:** Nothing herein shall be construed as a limitation on the operation of duly registered motorcycles as defined in the Illinois Motor Vehicle Code.
- (I) **Construction Sites:** Construction noise that occurs between the hours of 7 A.M. and 8 P.M. shall be exempted. However, if in the opinion of the Kendall County Planning, Building and Zoning Department, equipment or activities employed in the performance of construction exceeds the allowable decibel levels within this code, the Kendall County Planning, Building and Zoning Department may require noise mitigation methods be implemented and used at the construction site to mitigate noises which exceed the requirements herein.

ARTICLE VII- Enforcement:

Enforcement of this ordinance shall be performed by the Kendall County Sheriff's Office and any and all complaints of violations of this ordinance shall be directed to them. The Kendall County State's Attorney's Office shall be authorized to prosecute any violations of this Ordinance.

ARTICLE VIII – Notice to Property Owner:

- (A) Whenever a violation of this Ordinance occurs, the owner of the property shall be given notice of the violation in accordance with the following provisions:
- (1) If the owner's name and current address are known, then by either personal service or mailing a copy of the notice by certified mail, return receipt requested, to that address. For purposes of notice under this Section, if the person cited for the conduct giving rise to the violation is the owner, then the address provided to the Kendall County Sheriff's Office at the time of citing shall be deemed to be that person's known address; or
 - (2) If the owner's address is not known, then by either personal service or mailing a copy of the notice by certified mail, return receipt requested, to the owner's address as provided to the County Clerk and/or County Supervisor of Assessments Office; or
 - (3) If the owner's address is not known, and is not on record as provided above, then by publication for 3 successive weeks in a newspaper of general circulation within Kendall County.
- (B) Notice served under this Ordinance is effective upon personal service, the last date of publication, or the mailing of written notice, whichever is earlier.

ARTICLE IX - Penalty:

- (A) It shall be unlawful to violate any of the terms and provisions of this ordinance. Any person, firm or corporation violating any of the said terms and provisions of this ordinance shall, upon conviction, be guilty of a misdemeanor and be punished by fines as follows:
- (1) For the first offense, the minimum fine shall be \$50.00 and the maximum fine shall be \$500.00; and
 - (2) For any subsequent offense occurring within two years of the prior offense, the minimum fine shall be \$100.00 and the maximum fine shall be \$1000.00; and
- (B) The violation of this ordinance, or any part thereof, on more than one (1) day shall constitute separate offenses; and

- (C) In addition to any penalty provided by this Ordinance, the Kendall County State's Attorney is authorized to initiate action to obtain injunctive relief in the Circuit Court, including, but not limited to, the issuance of a temporary restraining order and preliminary injunction, in order to abate any such nuisance condition as enumerated in this Ordinance.

ARTICLE X - Severability:

The articles, provisions and sections of this Ordinance shall be deemed to be separable and if any portion of this Ordinance is deemed invalid, such determination shall not affect the validity of the remainder.

ARTICLE XI - Effective Date:

This Ordinance and the regulations contained therein shall be in full force and effect on and after the date signed below.

ADOPTED and APPROVED this 17th day of September, 2013.



John Shaw, County Board Chairman

Attest: 

Debbie Gillette, County Clerk

Disclaimer:

This is provided for informational purposes only. The formatting of this ordinance may vary from the official hard copy. In the case of any discrepancy between this ordinance and the official hard copy, the official hard copy will prevail.

Ordinance No. 2017-24

AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, AMENDING THE NOISE REGULATIONS IN THE PUBLIC HEALTH AND SAFETY CODE AND THE ZONING ORDINANCE

WHEREAS, the United City of Yorkville (the “*City*”) is a duly organized and validly existing non home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, the City’s sound engineer consultant and staff have recommended revised sound regulations to regulate sound measurement, limitations and exceptions; and,

WHEREAS, pursuant to Section 10-4-10 of the Yorkville Zoning Ordinance the City may initiate amendments to the Yorkville Zoning Ordinance; and,

WHEREAS, the City filed seeking amendments to the Yorkville Zoning Ordinance to amend noise performance standards to include those adopted in Title 4, the Public Health and Safety Code of the Yorkville City Code; and,

WHEREAS, the Planning and Zoning Commission convened and held a public hearing on January 18, 2017, to consider the request and made recommendations to the City Council to approve the requested text amendments.

WHEREAS, the City pursuant to Section 11-60-2 of the Illinois Municipal Code (65 ILCS 5/11-60-2) may define, prevent and abate nuisances, pursuant to Section 11-5-2 of the Illinois Municipal Code (65 ILCS 5/11-5-2) may prevent and suppress noises and disturbances, pursuant to Section 11-5-10 of the Illinois Municipal Code (65 ILCS 511-5-10) may regulate sound devices, and the City’s authority to protect the public health, welfare and safety hereby adopts this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

Section 1: The above recitals are incorporated and made a part of this Ordinance.

Section 2: That Chapter 4 of Title 4 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

“CHAPTER 4

NOISE ORDINANCE

4-4-1: Definitions:

All terminology used in this chapter shall be in conformance with applicable publications of the American National Standard Institute (ANSI) or its successor body.

4-4-2: WEIGHTED SOUND LEVEL:

Sound level meter meeting Class 1 or Class 2 requirements as defined by IEC 61672 or ANSI S1.4 and which is specified by the meter manufacturer to have a Measurement Level Range that encompasses the noise level to be measured. When the sound level measurement is to be made indoors, a Class 1 meter may be required to check for conformance with the sound level limits because most Class 2 meters do not have a Measurement Level Range that extends low enough.

4-4-3: SOUND LEVEL METER SETTINGS

- A. Sound level meter shall be set to A-weighting (frequency weighting).

- B. Sound level meter shall be set to Slow meter response (1-second exponential time averaging).

- C. Measured sound level shall be the maximum (L_{max}) sound level, attributable to the source under investigation, which is measured during the measurement period.

4-4-4: MEASUREMENT LOCATION:

- A. Measurement may be made anywhere within the receiving property, but must be made at least 3 feet from any building façade or other surface.

- B. Measurement may be made at any height above grade, at or near locations that are regularly occupied by people. For example, a measurement may be made at a position 3 feet to the exterior of a 2nd floor window since people can be expected to occupy the 2nd floor room.

- C. Measurement may be made inside a structure on the receiving property, in any space that is classified as inhabitable and constructed with necessary City construction permits.

- D. If measurement is to be made within a building on the receiving property, then measurement shall be made with windows, doors, and other openings to the exterior closed and measurement shall be made at least 3 feet from floor, ceiling, and all other partitions or surfaces.

E. If the sound source is in a Public Park or Other Public Open Space and sound level measurement is to be in the Public Park or Other Public Open Space then the measurement location shall be no closer than 50 feet from the source.

4-4-5: HOURS AND LEVELS:

A. No person shall operate or cause to be operated any source of sound in such a manner as to create a sound level which exceeds the sound level limits in Table 1, as adjusted according to Table 2.

Table 1: Sound Level Limits

Time of Day	Receiving Property Land Use		
	Residential	Commercial	Public Parks and other Public Open Spaces
Daytime (7:00 AM – 10:00 PM)	60 dBA	67 dBA	67 dBA
Nighttime (10:00 PM – 7:00 AM)	50 dBA	67 dBA	67 dBA

Table 2: Adjustments to Sound Level Limits

	Adjustment to Sound Level Limit
DURATION of noise in any one-hour period (use one adjustment only): a. 12 minutes and longer b. Under 12 minutes but over 3 minutes c. Under 3 minutes but over ½ minute d. Under ½ minute	Add 0 dBA Add 5 dBA Add 10 dBA Add 15 dBA
Noise is IMPULSIVE in character (e.g. hammering, firearms discharge, explosions)	Subtract 5 dBA
Content of noise includes electronically amplified, reinforced, or reproduced voice or music	Subtract 5 dBA

Noise is TONAL in character (e.g. hum, screech)	Subtract 10 dBA
If measured within a building on the receiving property per Paragraph 4-4.4.C and 4-4.4.D	Subtract 20 dBA

- B. All Table 2 adjustments which are relevant to the noise shall be applied. For example, if the noise source is tonal and has a duration of less than 12 minutes in any one hour period then the Sound Level Limit shall be increased by 5 dBA for the Duration adjustment and decreased by 10 dBA for the Tonal adjustment.

4-4-6: EXEMPTIONS:

- A. **Emergency Operations:** Emergency short term operations which are necessary to protect the health and welfare of the citizens, such as, emergency utility and street repair, fallen tree removal or emergency fuel oil delivery shall be exempt, provided that reasonable steps shall be taken by those in charge of such operations to minimize noise emanating from the same.
- B. **Noises Required By Law:** The provisions of this section shall not apply to any noise required specifically by law for the protection or safety of people or property.
- C. **Powered Equipment:** Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.
- D. **Community Events:** The term "community events" shall include such things as parades, festivals, drum corps shows, sports events, Fourth of July celebrations, sanctioned or sponsored in whole or in part by local governments, schools or charitable or service organizations.
- E. **Noise generated by construction or maintenance activities, performed for the improvement or maintenance of real property, from 7:00 AM to 7:00 PM."**

Section 3: That Section 10-13C-2 of the United City of Yorkville Zoning Ordinance of the Yorkville City Code is hereby amended to read as follows:

"10-13C-2: NOISE AND VIBRATION:

- A. **Noise:** Noise Measurement Equipment shall conform to the requirements and settings outlined in Sections 4-4-2 and 4-4-3 of the Yorkville City Code, Noise Ordinance. Measurement Location shall follow the guidelines set forth in Section 4-4-4 of the Yorkville City Code, Noise Ordinance. Sound level limits shall be as set forth in Section 4-4-5 of the

Yorkville City Code, Noise Ordinance. The only exemptions to the aforementioned may be found in Section 4-4-6 of the Yorkville City Code, Noise Ordinance.

B. **Vibration:** Vibration shall be measured at the same measurement location parameters for sound found in Section 4-4-4 of the Yorkville City Code, Noise Ordinance. At the specified points of measurements, the vibration shall not exceed the limits listed in Table 1 of this section. The instrument used for these measurements shall be a three (3) component recording system.

C. **Table:**

**TABLE 1
MAXIMUM PERMISSIBLE PARTICLE
VELOCITY OF THE GROUND VIBRATION**

Applicable Limit	Particle Velocity	
	Steady State Inches/Second	Impact Inches/Second
A	0.10	0.20
B	0.02	0.24

Particle velocity as specified in Table 1 may be measured directly, or if computed on the basis of displacement and frequency, measurements shall be computed from the formula $6.28 FD$, where F is the frequency of the vibration in cycles per second and D is the single amplitude displacement of the vibration in inches.

The maximum particle velocity shall be the vector sum of three (3) simultaneous mutually perpendicular components recorded.

For the purpose of this title, steady state vibrations are vibrations which are continuous, or vibrations in discrete impulses more frequent than one hundred (100) per minute. Discrete impulses which do not exceed one hundred (100) per minute shall be considered impact vibrations.”

Section 4: This Ordinance shall be in full force and effect upon its passage, approval, and publication as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this 25th day of April, 2017.

CITY CLERK

CARLO COLOSIMO	<u>aye</u>	KEN KOCH	<u>aye</u>
JACKIE MILSCHEWSKI	<u>aye</u>	ARDEN JOE PLOCHER	<u>aye</u>
CHRIS FUNKHOUSER	<u>aye</u>	JOEL FRIEDERS	<u>aye</u>
SEAVER TARULIS	<u>aye</u>	DIANE TEELING	<u>aye</u>

Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this 28th day of April, 2017.

MAYOR

**KENDALL COUNTY, ILLINOIS
ORDINANCE NO. _____**

**ORDINANCE REGULATING NOISE OUTSIDE THE CORPORATE LIMITS OF ANY
CITY, VILLAGE OR INCORPORATED TOWN IN KENDALL COUNTY, ILLINOIS**

WHEREAS, the County of Kendall has the authority pursuant to 720 ILCS 5/47-5 to declare what shall be public nuisances and to abate the same with respect to the territory within the county and outside the corporate limits of any city, village, or incorporated town; and

WHEREAS, pursuant to the Illinois County Code 55 ILCS 5/5-12001, the County of Kendall also has the authority to regulate and restrict the location and use of buildings, structures and land for trade, industry, residence and other uses and to regulate and restrict the intensity of such uses, for the purpose of promoting the public health, safety, morals, comfort and general welfare, and conserving the values of property throughout the county; and

WHEREAS, the County of Kendall seeks to control noise in its residential districts for the purpose of protecting the public health, safety, morals, comfort, and general welfare of its residents, and;

WHEREAS, the County of Kendall seeks to conserve the value of property throughout the county, and to prevent noise pollution in that excessive noise endangers physical and emotional health and well-being, interferes with legitimate business and recreational activities, depresses property values, offends the senses, creates public nuisances, and in other respects reduces the quality of our environment.

NOW, THEREFORE, BE IT ORDAINED, by the County Board of the County of Kendall, State of Illinois that hereafter Residential and Agricultural Zoning Districts which lie outside of the corporate limits of any City, Village or Town and lying within the corporate limits of Kendall County, Illinois shall be subject to the following:

ARTICLE I -Title: This ordinance shall hereinafter be known as the "Kendall County Noise Control Ordinance" and may be so cited.

ARTICLE II- Definitions & Rules of Construction: Except as specifically stated herein, the definitions of terms used in this Ordinance shall have their regular and usual meaning as indicated by common dictionary definition. However, all definitions of acoustical terminology used in this chapter shall be in conformance with applicable publications of the American National Standards Institute (ANSI) or its successor body. Words importing the singular number may extend and be applied to several persons or things. Words importing the plural number may include the singular. Words importing gender may be applied to both male and female.

ARTICLE III - Applicability: This Ordinance's noise regulations shall apply in unincorporated Residential Zoning Districts and Agriculture Districts where the primary use of the property is not Agricultural, except where otherwise exempt under this Ordinance. Any person, including, but not limited to, the subject property's owner, agent, tenant, visitor and/or other occupant of the

property who violates any provisions of this Ordinance, shall be liable for such noncompliance as further set forth herein.

Notwithstanding the above, a property owner shall be held liable for a violation under this ordinance if the County establishes by a preponderance of the evidence that he/she is legally accountable for the conduct giving rise to the violation, acquiesced to the conduct, and/or knew or should have reasonably known of the conduct occurring or that the conduct was likely to occur.

A Person for the purpose of this Ordinance shall be any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, or any legal successor, representative, agent or agency of the foregoing.

ARTICLE IV – Weighted Sound Level: Sound level meter meeting Class 1 or Class 2 requirements as defined by IEC 61672 or ANSI S1.4 and which is specified by the meter manufacturer to have a Measurement Level Range that encompasses the noise level to be measured. When the sound level measurement is to be made indoors, a Class 1 meter may be required to check for conformance with the sound level limits because most Class 2 meters do not have a Measurement Level Range that extends low enough.

ARTICLE V - Sound Level Meter Settings:

- A. Sound level meter shall be set to A-weighting (frequency weighting).
- B. Sound level meter shall be set to Slow meter response (1-second exponential time averaging).
- C. Measured sound level shall be the maximum (L_{max}) sound level, attributable to the source under investigation, which is measured during the measurement period.

ARTICLE VI – Measurement Location:

- A. Measurement may be made anywhere within the complainant receiving property, but must be made at least 3 feet from any building façade or other surface.
- B. Measurement may be made at any height above grade, at or near locations that are regularly occupied by people. For example, a measurement may be made at a position 3 feet to the exterior of a 2nd floor window since people can be expected to occupy the 2nd floor room.
- C. Measurement may be made inside a structure on the receiving property, in any space that is classified as inhabitable and constructed with necessary County construction permits.
- D. If measurement is to be made within a building on the receiving property, then measurement shall be made with windows, doors, and other openings to the exterior closed and measurement shall be made at least 3 feet from floor, ceiling, and all other partitions or surfaces.

E. If the sound source is in a Public Park or Other Public Open Space and sound level measurement is to be in the Public Park or Other Public Open Space then the measurement location shall be no closer than 50 feet from the source.

ARTICLE VII – Hours and Levels:

A. No person shall operate or cause to be operated any source of sound in such a manner as to create a sound level which exceeds the sound level limits in Table 1, as adjusted according to Table 2.

Table 1: Sound Level Limits

Time of Day	Receiving Property Land Use	
	Residential	Public Parks and other Public Open Spaces
Daytime (7:00 AM – 10:00 PM)	60 dBA	67 dBA
Nighttime (10:00 PM – 7:00 AM)	50 dBA	67 dBA

Table 2: Adjustments to Sound Level Limits

	Adjustment to Sound Level Limit
DURATION of noise in any one-hour period (use one adjustment only): a. 12 minutes and longer b. Under 12 minutes but over 3 minutes c. Under 3 minutes but over ½ minute d. Under ½ minute	Add 0 dBA Add 5 dBA Add 10 dBA Add 15 dBA
Noise is IMPULSIVE in character (e.g. hammering, firearms discharge, explosions)	Subtract 5 dBA
Content of noise includes electronically amplified, reinforced, or reproduced voice or music	Subtract 5 dBA
Noise is TONAL in character (e.g. hum, screech)	Subtract 10 dBA
If measured within a building on the receiving property per Paragraph ARTICLE VI. C and ARTICLE VI. D	Subtract 20 dBA

B. All Table 2 adjustments which are relevant to the noise shall be applied. For example, if the noise source is tonal and has a duration of less than 12 minutes in any one hour period then the Sound Level Limit shall be increased by 5 dBA for the Duration adjustment and decreased by 10 dBA for the Tonal adjustment.

ARTICLE VIII – Noise and Vibration:

- A. Noise: Noise Measurement Equipment shall conform to the requirements and settings outlined in Sections ARTICLE IV and ARTICLE V of this Ordinance. Measurement Location shall follow the guidelines set forth in Section ARTICLE VI of this Ordinance. Sound level limits shall be as set forth in Section ARTICLE VII of this Ordinance, Noise Ordinance. The only exemptions to the aforementioned may be found in Section ARTICLE IX of this Ordinance.
- B. Vibration: Vibration shall be measured at the same measurement location parameters for sound found in Section ARTICLE VI this Ordinance. At the specified points of measurements, the vibration shall not exceed the limits listed in Table 3 of this Ordinance. The instrument used for these measurements shall be a three (3) component recording system.

C. Table:

**TABLE 3
MAXIMUM PERMISSIBLE PARTICLE
VELOCITY OF THE GROUND VIBRATION**

Applicable Limit	Particle Velocity	
	Steady State Inches/Second	Impact Inches/Second
A	0.10	0.20
B	0.02	0.24

Particle velocity as specified in Table 3 may be measured directly, or if computed on the basis of displacement and frequency, measurements shall be computed from the formula $6.28 FD$, where F is the frequency of the vibration in cycles per second and D is the single amplitude displacement of the vibration in inches.

The maximum particle velocity shall be the vector sum of three (3) simultaneous mutually perpendicular components recorded.

For the purpose of this title, steady state vibrations are vibrations which are continuous, or vibrations in discrete impulses more frequent than one hundred (100) per minute. Discrete impulses which do not exceed one hundred (100) per minute shall be considered impact vibrations.”

**TABLE 4
MAXIMUM PERMITTED SOUND
LEVELS, PREFERRED FREQUENCY OCTAVE BANDS**

Preferred Center Frequency Cycles/Second	A	B	C
31.5	88	83	86
63	79	71	75
125	69	59	64
250	62	52	57
500	58	47	53
1,000	54	44	49
2,000	51	40	46
4,000	49	37	44
8,000	47	35	41

Measurement of the sound levels may also be made using an A-weighted scale sound level meter. The levels in table 4 of this section shall be considered to have been met if the A-weighted levels are not greater than the following:

**TABLE 5
MAXIMUM PERMITTED SOUND
LEVELS, dB(A), FOR SCREENING PURPOSES**

Required Level	Sound Level, dB(A)
A	60
B	50
C	55

Particle velocity as specified in table 5 of this section may be measured directly, or if computed on the basis of displacement and frequency, measurements shall be computed from the formula 6.28 FD, where F is the frequency of the vibration in cycles per second and D is the single amplitude displacement of the vibration in inches.

**TABLE 6
 MAXIMUM PERMISSIBLE PARTICLE
 VELOCITY OF THE GROUND VIBRATION**

Applicable Limit	Particle Velocity	
	Steady State Inches/Second	Impact Inches/Second
A	0.10	0.20
B	0.02	0.24

The maximum particle velocity shall be the vector sum of three (3) simultaneous mutually perpendicular components recorded.

For the purpose of this title, steady state vibrations are vibrations which are continuous, or vibrations in discrete impulses more frequent than one hundred (100) per minute. Discrete impulses which do not exceed one hundred (100) per minute shall be considered impact vibrations

ARTICLE IX - EXEMPTIONS:

The following exemptions to violation of this Ordinance shall apply:

- A. **Emergency Operations:** Emergency short term operations which are necessary to protect the health, safety and welfare of the citizens, such as emergency utility and street repair, fallen tree removal or emergency fuel oil delivery shall be exempt, provided that reasonable steps shall be taken by those in charge of such operations to minimize noise emanating from the same. Emergency operations by fire and rescue services and police agencies shall also be exempt.
- B. **Noises Required by Law:** The provisions of this chapter shall not apply to any noise required specifically by law for the protection or safety of people or property.
- C. **Powered Equipment:** Powered equipment, such as air conditioners, lawn mowers, small lawn and garden tools, riding tractors and snow removal equipment which is necessary for the maintenance of property, is kept in good repair and maintenance, and which equipment, when new, would not comply with the standards set forth in this chapter, shall be exempt. Good repair for the purpose of this exemption shall be when the equipment at issue is in a condition that meets factory specifications and is properly maintained to prevent any excessive or unusual noise. However, the use of radios or other sound/entertainment devices on such equipment shall not be exempted if listened to at a level otherwise violating the terms of this Ordinance.
- D. **Community Events:** The term "community events" shall include such things as parades, festivals, drum corps shows, sports events and Fourth of July celebrations, which are sanctioned or sponsored in whole or in part by local governments, schools or charitable or service organizations.

- E. **Agricultural Noise:** Specifically excluded from the provisions of this Ordinance is noise generated by agricultural equipment on land zoned and/or used for agricultural purposes.
- F. **Motor Vehicles:** Nothing herein shall be construed as a limitation on the operation of duly registered motor vehicles as defined in the Illinois Motor Vehicle Code, which are not in violation of 625 ILCS 5/12-602.
- G. **Work performed by a public body:** Any work performed by or on behalf of a public body, including that which is performed by subcontractors, shall be exempted. Such activities may include, but are not limited to, routine maintenance work, road and bridge construction and emergency repairs.
- H. **Motorcycles:** Nothing herein shall be construed as a limitation on the operation of duly registered motorcycles as defined in the Illinois Motor Vehicle Code.
- I. **Construction Sites:** Construction noise that occurs between the hours of 7 A.M. and 8 P.M. shall be exempted. However, if in the opinion of the Kendall County Planning, Building and Zoning Department, equipment or activities employed in the performance of construction exceeds the allowable decibel levels within this code, the Kendall County Planning, Building and Zoning Department may require noise mitigation methods be implemented and used at the construction site to mitigate noises which exceed the requirements herein.

ARTICLE X - Enforcement: Enforcement of this ordinance shall be performed by the Kendall County Sheriff's Office and any and all complaints of violations of this ordinance shall be directed to them. The Kendall County State's Attorney's Office shall be authorized to prosecute any violations of this Ordinance.

ARTICLE XI - Notice to Property Owner:

- A. Whenever a violation of this Ordinance occurs, the owner of the property shall be given notice of the violation in accordance with the following provisions:
 - 1. If the owner's name and current address are known, then by either personal service or mailing a copy of the notice by certified mail, return receipt requested, to that address. For purposes of notice under this Section, if the person cited for the conduct giving rise to the violation is the owner, then the address provided to the Kendall County Sheriffs Office at the time of citing shall be deemed to be that person's known address; or
 - 2. If the owner's address is not known then by either personal service or mailing a copy of the notice by certified mail, return receipt requested, to the owner's address as provided to the County Clerk and/or County Supervisor of Assessments Office; or
 - 3. If the owner's address is not known, and is not on record as provided above, then by publication for three successive weeks in a newspaper of general circulation within Kendall County.
- B. Notice served under this Ordinance is effective upon personal service, the last date of publication, or the mailing of written notice, whichever is earlier.

ARTICLE IX - Penalty:

- A. It shall be unlawful to violate any of the terms and provisions of this ordinance. Any person, firm or corporation violating any of the said terms and provisions of this ordinance shall, upon conviction, be guilty of a misdemeanor and be punished by fines as follows:
1. For the first offense, the minimum fine shall be \$50.00 and the maximum fine shall be \$500.00; and
 2. For any subsequent offense occurring within two years of the prior offense, the minimum fine shall be \$100.00 and the maximum fine shall be \$1000.00; and
- B. The violation of this ordinance, or any part thereof, on more than one (1) day shall constitute separate offenses; and
- C. In addition to any penalty provided by this Ordinance, the Kendall County State's Attorney is authorized to initiate action to obtain injunctive relief in the Circuit Court, including, but not limited to, the issuance of a temporary restraining order and preliminary injunction, in order to abate any such nuisance condition as enumerated in this Ordinance.

ARTICLE X - Severability: The articles, provisions and sections of this Ordinance shall be deemed to be separable and if any portion of this Ordinance is deemed invalid, such determination shall not affect the validity of the remainder.

ARTICLE XI - Effective Date and Repeal: This Ordinance and the regulations contained therein shall be in full force and effect on and after the date signed below. Upon the effective date of this Ordinance, Kendall County Ordinance 13-18 shall be repealed in its entirety.