

**ORDINANCE AMENDING SECTION 8-4-5(B) OF THE VILLAGE CODE
REGARDING INCESSANT DOG BARKING**

WHEREAS, the Village of Barrington Hills (the “Village”) through the Chief of Police of the Village or his designee, as the “Animal Control Officer, regulates domestic animals within the Village for the health, safety and well-being of the animals and the general public; and

WHEREAS, pursuant to Section 8-4-2 of the Village Code, the Animal Control Officer is authorized to (a) apprehend stray animals; (b) dispose of any stray or infected animal of any kind when necessary for the protection of any person or animal after making reasonable efforts to determine the owner of the animal; and (c) to take such other actions as authorized by Title 8, Chapter 4 of the Code; and

WHEREAS, Section 8-4-5(B) of the Code provides that, “no owner of a dog shall permit it to disturb the peace of others by barking incessantly between the hours of seven o’clock (7:00) P.M. to seven o’clock (7:00) a.m. on the following day. ‘Incessantly’ as used in this Section means a period of time of more than twenty (20) continuous minutes.”

WHEREAS, pursuant to the recommendation of the Animal Control Officer, the President and the Board of Trustees of the Village find and believe it to be in the best interest of the Village that Section 8-4-5(B) of the Village Code be amended as provided in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Barrington Hills, Cook, Kane, Lake and McHenry Counties, Illinois, as a home rule municipality, the following:

Section 1. Incorporation of Preambles. The Village Board hereby finds that the recitals contained in the preambles to this Ordinance are true and correct and does incorporate them into this Ordinance by this reference.

Section 2. Abandonment. Section 8-4-5(B) of the Village Code, shall be, and the same hereby is, deleted in its entirety and the following is inserted in lieu thereof:

“(B) No owner of a dog shall permit it to disturb the peace of others by permitting it to bark incessantly. This Section shall be enforced by the Police Department for the Village of Barrington Hills twenty-four (24) hours per day, seven (7) days per week, provided, however, this Section shall not apply to instances of incessant barking that occur as part of an organized search team involving the use of dogs. ‘Incessantly’ as used in this Section means a period of time of more than twenty (20) continuous minutes.”

Section 3. Validity. Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Ordinance as a whole or any part thereof other than the part declared to be invalid.

Section 4. Superseder and Effective Date. All resolutions, motions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded; and this Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED THIS 26th day of June, 2006.

AYES: 7 NAYS: 0 ABSENT: 0

APPROVED THIS 26th day of June, 2006.

ATTEST:



Village Clerk, Deputy



Village President