

**VILLAGE OF VERNON HILLS
ORDINANCE 2024-140**

**AN ORDINANCE AUTHORIZING THE TRANSFER OF OWNERSHIP
OF POLICE DOG BILLIE**

WHEREAS, the Village of Vernon Hills is a home-rule unit of government under Article VII, Section 6 of the 1970 Constitution of the State of Illinois, and may exercise powers pertaining to its local government affairs; and

WHEREAS, pursuant to Section 11-76-4 of the Illinois Municipal Code (65 ILCS 5/11-76-4), the corporate Authorities of the Village of Vernon Hills may transfer personal property owned by the Village when, in the opinion of a majority of the Corporate Authorities, such property is no longer useful for the best interests of the Village; and

WHEREAS, the Village currently owns a Police wellness and service dog named Billie who has been deemed by independent trainers to be unsuitable for her designated wellness duties; and

WHEREAS, pursuant to 510 ILCS 82/5, known as the Illinois Police Dog Retirement Act, a police dog, such as Billie, upon retirement from public service may be offered to an employee of the agency that owns the dog; and

WHEREAS, the Corporate Authorities of the Village have, therefore, determined that said police dog Billie is no longer able to be useful to the Village in her wellness capacity and should be retired from active duty; and

WHEREAS, Village Police Commander Robert Caselli, wishes to take ownership and possession of Billie and agrees to accept full ownership and future responsibility of and for Billie, as of November 19, 2024; and

WHEREAS, the Corporate Authorities of the Village have agreed to turn over full ownership and responsibility of Billie to Commander Robert Caselli free of charge.

NOW, THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Vernon Hills, Lake County, Illinois, As Follows:

SECTION 1:

The above preambles are hereby incorporated into this Section as fully as if restated in their entirety herein.

SECTION 2:

Pursuant to the Illinois Compiled Statutes (65 ILCS 5/11-76-4 and 510 ILCS 82/5) and the Village's home-rule powers, the Corporate Authorities of the Village of Vernon Hills hereby find and declare that Police dog Billie's service to the Village is no longer necessary, and that

transfer of ownership and future responsibility of Billie to Police Commander Robert Caselli, a member of the Police Department, free of charge is warranted and in the public interest and in the best interest of Billie.

SECTION 3:

Police Commander Robert Caselli may take ownership of Billie as of November 19, 2024, upon the execution of the "Release and Covenant Not to Sue" agreement in substantially the same form as that attached hereto and incorporated herein by reference as EXHIBIT A. The Village Manager is hereby authorized to sign said agreement on behalf of the Village of Vernon Hills and take all steps necessary to transfer ownership of police dog Billie to Robert Caselli

SECTION 4:

That this ordinance shall be in full force and effect immediately after its passage.

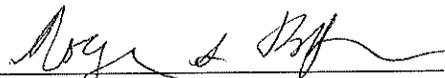
Dated the 19th day of November 2024

Adopted by roll call votes as follows:

AYES: 6 – Marquardt, Forster, Oppenheim, Schenk, Koch, Byrne

NAYS: 0 - None

ABSENT AND NOT VOTING: 1 – Takaoka

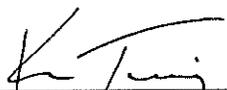


Roger L. Byrne, Village President

PASSED: 11/19/2024

APPROVED: 11/19/2024

ATTEST: 11/19/2024



Kevin Timony, Village Clerk

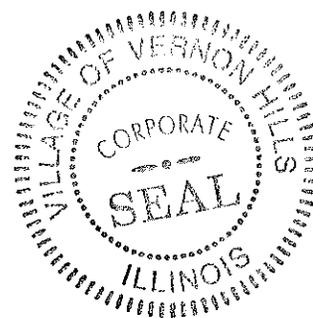


EXHIBIT A

RELEASE AND COVENANT NOT TO SUE

RELEASE AND COVENANT NOT TO SUE

WHEREAS, the Village of Vernon Hills owns a female dog named Billie (hereinafter "Billie") that the Village no longer finds useful or of value to the Village of Vernon Hills; and

WHEREAS, the Village of Vernon Hills wishes to transfer ownership of Billie; and

WHEREAS, Police Commander Robert Caselli, wishes to take ownership and possession of Billie; and

WHEREAS, the Village agrees to turn over full ownership and responsibility of Billie to Robert Caselli free of charge; and

WHEREAS, Robert Caselli agrees to accept full ownership and future responsibility of and for Billie.

NOW, THEREFORE, in consideration of the Village of Vernon Hills agreeing to transfer ownership of Billie to Robert Caselli for no cost or expense, Robert Caselli agrees as follows:

Billie shall be conveyed free of charge to Robert Caselli on an "as-is, where-is" basis, without any representations or warranties of any kind, express or implied, either oral or written, made by the Village of Vernon Hills or any agent, employee or representative of the Village of Vernon Hills with respect to the physical, mental or any other condition of Billie, including any propensities of or training of Billie. Robert Caselli agrees to take Billie on an "as-is, where-is" basis.

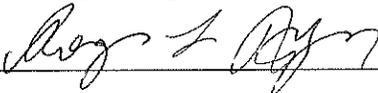
Robert Caselli and his heirs, successors and assigns hereby agree to release, waive and covenant not to sue and forever discharge the Village, its elected officials, employees and agents ("Village Affiliate"), from any claims, suits or action, whether or not well founded in fact or in law, which Robert Caselli has or may have, arising or growing out of the transfer of the ownership interest and possession of Billie to it from the Village of Vernon Hills. It is the express purpose of this document that upon transfer of the ownership of Billie to Robert Caselli by the Village of Vernon Hills, Robert Caselli shall assume all responsibility, damages, liability and obligations for and resulting from the condition and actions of Billie and that the Village Affiliates will at no time assume responsibility or liability for the actions of that animal. As for the Village Affiliates and Robert Caselli, Robert Caselli shall be held solely responsible to all persons or property that come into contact with Billie.

ROBERT CASELLI



SUBSCRIBED AND SWORN TO
before me this 19th day of November, 2024

VILLAGE OF VERNON HILLS,
a municipal corporation



SUBSCRIBED AND SWORN TO
before me this 19th day of November, 2024

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2024-140

AN ORDINANCE AUTHORIZING THE TRANSFER OF OWNERSHIP OF POLICE DOG
BILLIE

THE 19th DAY OF NOVEMBER 2024

Published in pamphlet form by the Authority of the
President and Board of Trustees of the Village of
Vernon Hills, Lake County, Illinois, this
19th day of November, 2024

STATE OF ILLINOIS)
)
COUNTY OF LAKE)

CERTIFICATE

I, KEVIN TIMONY, CERTIFY THAT I AM THE DULY APPOINTED AND ACTING VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS. I FURTHER CERTIFY THAT ON NOVEMBER 19, 2024, THE CORPORATE AUTHORITIES OF SUCH MUNICIPALITY PASSED AND APPROVED ORDINANCE NO. 2024-140 AN ORDINANCE AUTHORIZING THE TRANSFER OF OWNERSHIP OF POLICE DOG BILLIE.

THE PAMPHLET FOR ORDINANCE NO. 2024-140 INCLUDING THE ORDINANCE AND A COVER SHEET THEREOF, WAS PREPARED, AND A COPY DATED NOVEMBER 19, 2024 AND CONTINUING FOR AT LEAST TEN DAYS THEREAFTER. COPIES OF SUCH ORDINANCE WERE ALSO AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST IN THE OFFICE OF THE VILLAGE CLERK.

DATED IN VERNON HILLS, ILLINOIS, THIS 19th DAY OF NOVEMBER 2024.



Kevin Timony, Village Clerk

SEAL



AFFIDAVIT OF SERVICE

STATE OF ILLINOIS)
)
COUNTY OF LAKE)

I, KEVIN TIMONY, BEING FIRST DULY APPOINTED, DEPOSES AND SAYS ON OATH THAT AS VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, HE DID CAUSE THE FOREGOING CERTIFICATE FOR ORDINANCE NO. 2024-140 AN ORDINANCE AUTHORIZING THE TRANSFER OF OWNERSHIP OF POLICE DOG BILLIE TO BE POSTED IN THE VILLAGE HALL AS REQUIRED BY LAW FROM NOVEMBER 19, 2024 TO NOVEMBER 29, 2024.



Kevin Timony, Village Clerk

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 19th DAY OF NOVEMBER 2024



Notary Public

