

ILLINOIS POLLUTION CONTROL BOARD

August 4, 2005

DORIS GLAVE and GLENN GLAVE,)	
)	
Complainants,)	
)	
v.)	PCB 02-11
)	(Citizens Enforcement - Noise)
BRENT HARRIS, PATTY HARRIS and)	
WINDS CHANT KENNEL, INC.,)	
)	
Respondents.)	
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VILLAGE OF GRAYSLAKE,)	
)	
Complainant,)	
)	
v.)	PCB 02-32
)	(Citizens Enforcement - Noise)
WINDS CHANT KENNEL, INC.,)	(Consolidated)
)	
Respondent.)	

ORDER OF THE BOARD (by T.E. Johnson):

This consolidated matter is before the Board on complaints filed by the Village of Grayslake (Grayslake), and Doris Glave and Glenn Glave (Glaves). The complaints concern allegations that the respondents violated the Environmental Protection Act (Act) (415 ILCS 5/1 *et al.* (2004)), and Board noise regulations at a boarding kennel located in Grayslake, Lake County.

On July 14, 2005, the parties filed a joint motion to stay. In the motion, the parties assert that a settlement has been reached in this matter. Mot. at 1. The parties assert that respondents have agreed to build an enclosed kennel at a different location on respondents' property and have agreed to cease using the existing kennel to house dogs or other noise-making animals. Mot. at 1-2. As a result, the complainants have agreed to dismiss their complaints with prejudice, but not until the earlier of 21 days after the Village of Grayslake issues a certificate of occupancy or May 2, 2006. Mot. at 2.

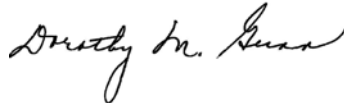
In the motion, the parties ask the Board to stay these proceedings until May 3, 2006, to allow the construction of the new kennel. Mot. at 2. The parties assert that a stay protects the complainants' interests, that the enforcement cases have no decision deadline, and that a stay would allow the implementation of the parties agreement, thereby conserving the parties' resources. Mot. at 2-3.

Motions to stay proceedings must be directed to the Board, and accompanied by sufficient information detailing why a stay is needed. 35 Ill. Adm. Code 101.514. In decision deadline proceedings, a waiver of the decision deadline must accompany the motion. *Id.*

The Board finds that the parties have satisfied the requirements set forth in Section 101.514 of the Board's rules. Thus, the motion to stay the proceedings is granted. This consolidated matter is hereby stayed until May 3, 2006. At the close of the stay, the parties must file a status report in accordance with Section 101.514 of the Board's rules. *See* 35 Ill. Adm. Code 101.514.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on August 4, 2005, by a vote of 5-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board