

CHAPTER 30: COUNTY OFFICIALS AND DEPARTMENTS

§ 30.XX COUNTY ENGINEER/DIRECTOR OF TRANSPORTATION.

The Office of the Lake County Engineer/Director of Transportation is hereby established. The chair of the County Board shall appoint the County Engineer/Director of Transportation upon the advice and consent of the County Board. The County Engineer/Director shall enjoy all powers and duties provided by state statute, 605 ILCS 5/5-101 et seq.

Comment [las1]: New language requested by DOT to include in Officials subchapter.

30.XX DIVISION OF TRANSPORTATION.

The Lake County Division of Transportation is hereby established.

Comment [las2]: New language requested by DOT

CHAPTER 33: PURCHASING

§ 33.036 PROCEDURES.

(F) Cancellation or rejection of invitations for bids or requests. An invitation for bids, a request for proposals, or other solicitation may be canceled, or any or all bids or proposals may be rejected in whole or in part as may be specified in the solicitation, when it is for good cause and in the best interests of the county. ~~Each solicitation issued by the county shall state that the solicitation may be canceled by the Purchasing Agent and that any bid or proposal may be rejected in whole or in part for good cause when in the best interests of the county.~~ The reasons therefor shall be made part of the contract file and shall be provided upon request by unsuccessful bidders or offerors.

Comment [las3]: Requested by Purchasing Department, this language is redundant.

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33.157 BUDGET.

~~A new fund shall be created which will be used for all motor vehicle purchases, fuel expenses, and vehicle maintenance requirements. This fund shall be called the Motor Vehicle Fund and shall be administered by the Director of Transportation/Lake County Engineer.~~

The Division of Transportation will make annual recommendations to each department on the amounts to budget in their funds for vehicles and fuel expense.

Comment [las4]: Requested by DOT to reflect current practice.

CHAPTER 171: ONSITE WASTEWATER TREATMENT SYSTEMS

§ 171.240 SUSPENSION OF LICENSES.

Comment [las5]: New language requested by Health Department to provide an official process for hearing on a revoked license.

(B) Board of Health Hearing. When a license is suspended or revoked by the Health Officer, that person whose license was suspended or revoked may make a written request to the Health Officer for a hearing before the Board of Health Hearings Committee. The request for a hearing shall be made in accordance with §§ 176.15 through 176.17.

(1) Fees. A fee for a hearing request shall be in accordance with the current fee schedule adopted by the County Board as codified in §178.01.

- When a license required by the ordinance is suspended or revoked, the initial hearing regarding its status is conducted by the Health Officer.
- This change is proposed to clarify that, if the Health Officer upholds the suspension or revocation, the individual has the right to appeal the finding to the Board of Health Hearings Committee.

Chapter 172: ANIMALS

§ 172.12 DANGEROUS, VICIOUS AND ANIMAL-AGGRESSIVE DOGS.

Comment [las6]: New language requested by the Health Department.

(B) *Animal-aggressive dog determinations and requirements.* The determination that a dog is animal-aggressive, and any associated enforcement, shall be in accordance with the requirements of this chapter.

(4) *Animal-aggressive dog dispositions.* In the provision of an animal-aggressive determination notification pursuant to subsection (B)(3) above, the Administrator shall, based upon the evidence of the severity of the attack and/or previous history of other similar attack(s), determine the disposition of the dog, which may include any one or a combination of the following requirements:

(a) Enforcement of any or all of the requirements of a dangerous dog determination pursuant to subsection (A) above;

(b) Requiring that the dog be kept in an enclosure approved by the Health Officer, and only allowed out of the enclosure to obtain veterinary care, in case of emergency where the dog's life is threatened, or to comply with an order of the court;

(c) Requiring that the dog be kept in an enclosure approved by the Health Officer whenever the dog is on the owner's property, but outside the owner's residence;

(d) Requiring the dog to be muzzled whenever it is outside the owner's residence in a manner that will prevent it from biting any person or animal, but that shall not injure the dog or interfere with its vision or respiration;

~~(e)~~ (e) Humanely euthanizing the dog.

- When a dog is declared to be animal-aggressive, the Animal Control Program Administrator can only impose the requirements in the ordinance for its disposition.

- These requirements were based on those that exist in current law for dangerous or vicious findings, and allow the Administrator to impose some or all of these requirements, depending on the case circumstances.
- In implementing the ordinance, the program has found that the requirements were sometimes either too restrictive, or not restrictive enough.
- This change is proposed to add more flexibility and practicality in placing these requirements. For example, the Administrator can now only require that a dog be essentially permanently kept in an enclosure, or that it must have a muzzle in place, but only when on public premises.
- The change would allow the Administrator to require a less restrictive enclosure, or to not require an enclosure, but to impose a muzzle requirement at all times the dog was outside the residence, including on his own property.

CHAPTER 173: FOOD SERVICE REGULATIONS

§ 173.009 REMEDIES.

(C) Notice of Ordinance Violation Tickets. As an alternative remedy to any other remedy that may be available to the Health Department in this Ordinance, the Health Officer may, when a food establishment operator violates the provisions of this Ordinance, issue a Notice of Ordinance Violation ticket in accordance with the provisions of the Lake County Administrative Adjudication Ordinance. The ticket shall identify the violation for which it is being issued, the corresponding fine amount as established in the Lake County Administrative Adjudication Ordinance and shall require the alleged violator to appear before the County's administrative hearing officer, provide the alleged violator the option to appear before the County's administrative hearing officer, or pay the established fine.

Comment [las7]: New language requested by Health Department to provide Administrative Adjudication for violations of this ordinance.

§ 173.999 PENALTY.

(D) Notice of Ordinance Violation Tickets. As an alternative remedy to any other remedy that may be available to the Health Department in this Ordinance, the Health Officer may, when a vending machine operator violates the provisions of this Ordinance, issue a Notice of Ordinance Violation ticket in accordance with the provisions of the Lake County Administrative Adjudication Ordinance. The ticket shall identify the violation for which it is being issued, the corresponding fine amount as established in the Lake County Administrative Adjudication Ordinance and shall require the alleged violator to appear before the County's administrative hearing officer, provide the alleged violator the option to appear before the County's administrative hearing officer, or pay the established fine.

Comment [las8]: New language requested by the Health Department to provide administrative adjudication process for this ordinance.

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- These changes are proposed to allow for the use of the Administrative Adjudication process to enforce provisions of the Food Service Facilities ordinance, in accordance with the provisions of the Lake County Administrative Adjudication Ordinance.

Chapter 174: SWIMMING FACILITY REGULATIONS

§ 174.068 OTHER REMEDIES.

Comment [HLLJM9]: I just noticed that this addition was not included with the original batch.

As an alternative remedy to any other remedy that may be available to the Health Department in this Ordinance, the Health Officer may, when a swimming facility operator violates the provisions of this Ordinance, issue a Notice of Ordinance Violation ticket in accordance with the provisions of the Lake County Administrative Adjudication Ordinance. The ticket shall identify the violation for which it is being issued, the corresponding fine amount as established in the Lake County Administrative Adjudication Ordinance and shall require the alleged violator to appear before the County's administrative hearing officer, provide the alleged violator the option to appear before the County's administrative hearing officer, or pay the established fine.

- This change is proposed to allow for the use of the Administrative Adjudication process to enforce provisions of the Swimming Facilities ordinance, in accordance with the provisions of the Lake County Administrative Adjudication Ordinance.

CHAPTER 177: TOBACCO REGULATIONS

§ 177.07 LICENSE SUSPENSION OR REVOCATION.

(C) Board of Health Hearing. When a license is suspended or revoked by the Health Officer, that person whose license was suspended or revoked may make a written request to the Health Officer for a hearing before the Board of Health Hearings Committee. The request for a hearing shall be made in accordance with §§ 176.15 through 176.17.

(1) Fees. A fee for a hearing request shall be in accordance with the current fee schedule adopted by the County Board as codified in §178.01.

- When a license required by the ordinance is suspended or revoked, the initial hearing regarding its status is conducted by the Health Officer.
- This change is proposed to clarify that, if the Health Officer upholds the suspension or revocation, the individual has the right to appeal the finding to the Board of Health Hearings Committee.

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Comment [las10]: New language requested by the Health Department to formalize hearing process for suspended or revoked license.