



LAKE COUNTY  
Investing in People  
and Our Communities

# Clean Air Discussion

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Energy & Environment Committee  
June 26, 2019

# Agenda

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- Current Conditions
- Municipal Regulations
- Yard Waste Hauling Services
- Case Study: McHenry County
- Potential Next Steps

# Current Regulations

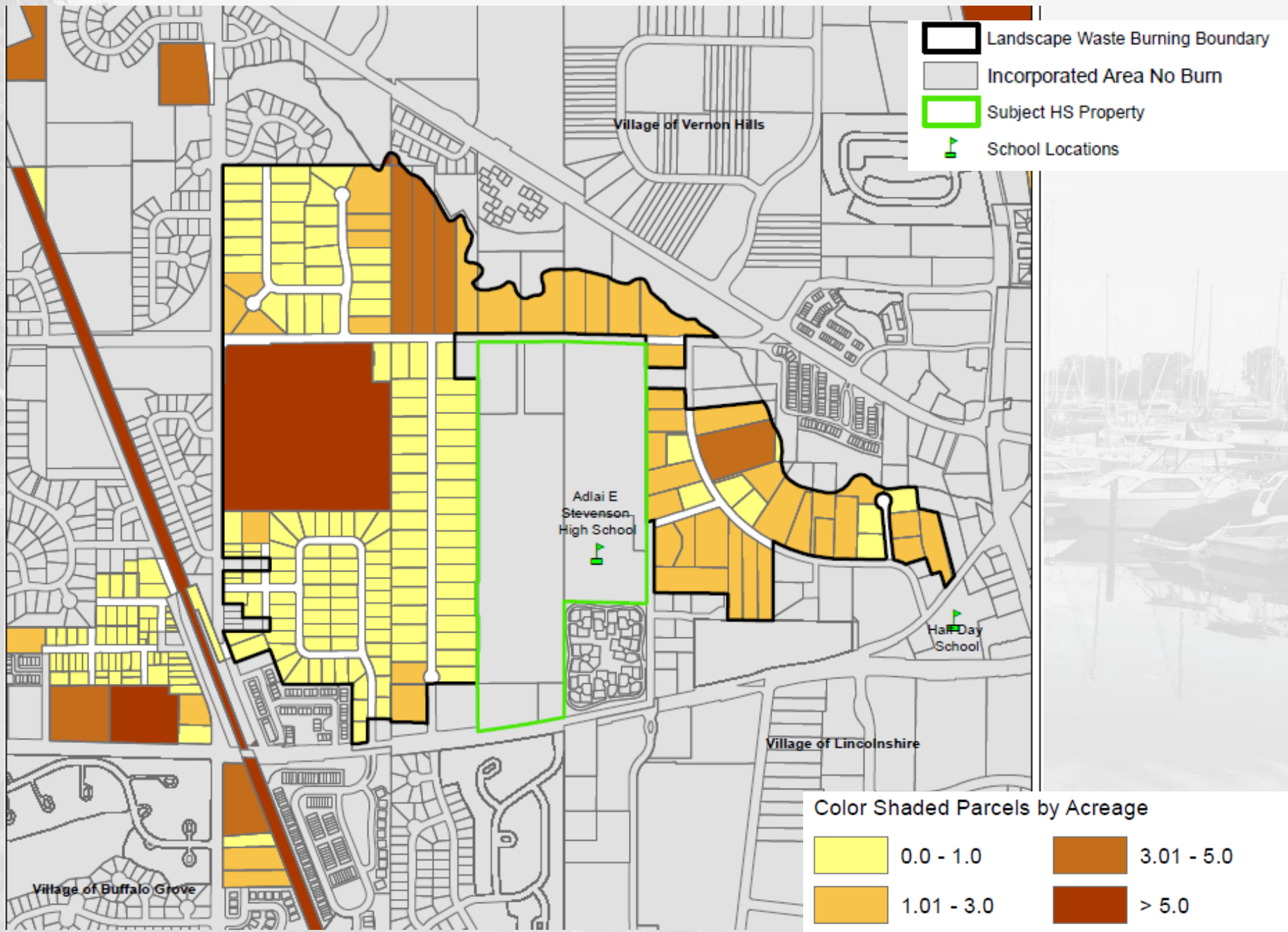
- **All Unincorporated areas:** It is a public nuisance to burn rubbish, garbage, refuse, or construction debris on any property.
- **Designated Unincorporated Area:** It is a public nuisance to conduct open burning of grass clippings and tree trunks in the designated unincorporated area, subject to certain restrictions.

# Designated Area Definition

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- ***DESIGNATED UNINCORPORATED AREA.*** An area less than one square mile in size, and:
  - Adjacent to an educational facility w/indoor and outdoor activities, and
    - The educational facility has received complaints about landscape waste burning
  - Surrounded by one or more municipality with burning ban
  - Densely populated (< 1 acre) within ¼ mile of educational facility
  - 500+ feet of abuts the educational facility





# Designated Area Restrictions

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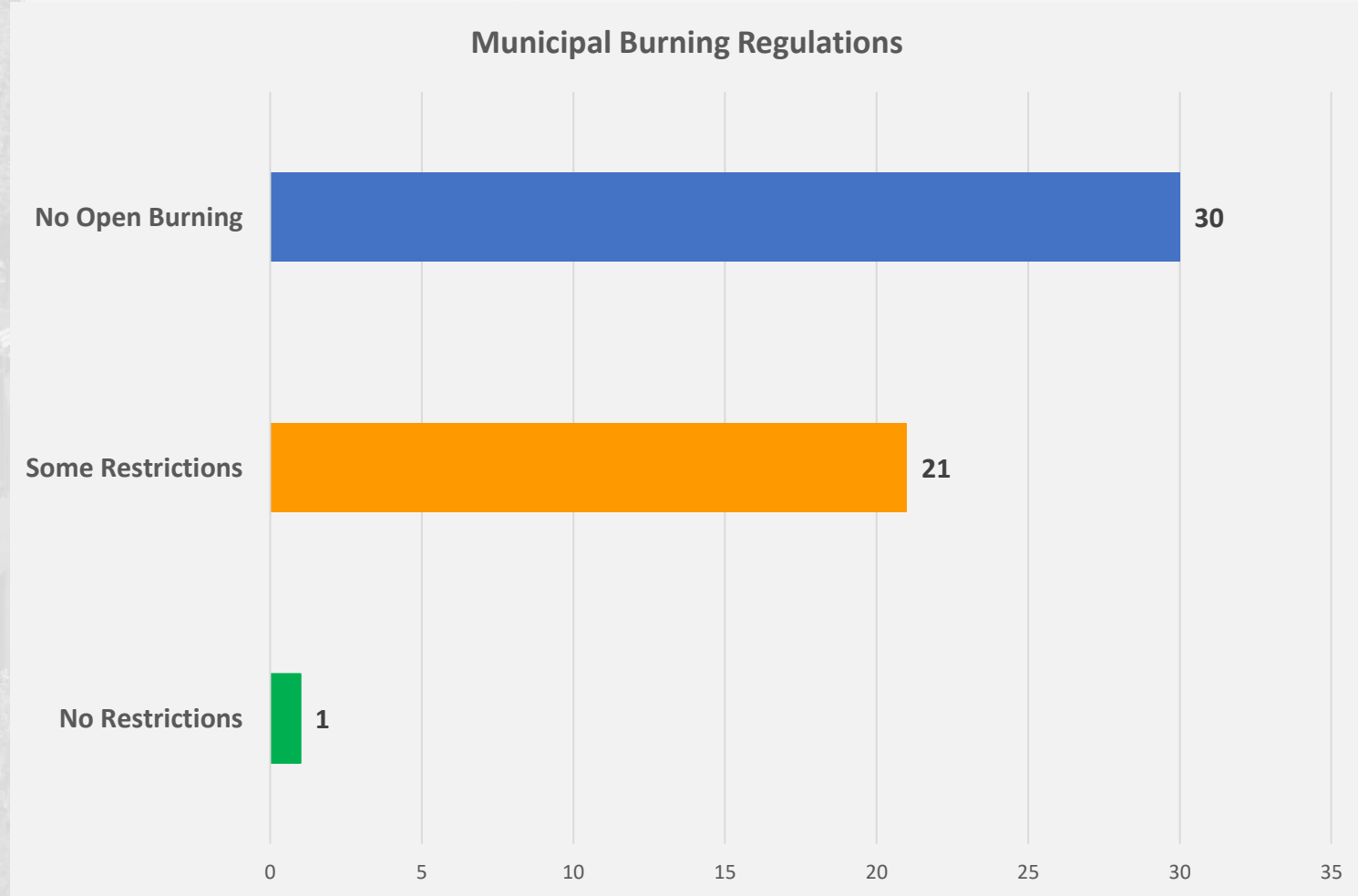
- No burning of grass clippings or tree trunks
- Allows recreational fires, ceremonial fires, etc., with prohibitions (no grass, tree trunks, leaves, etc.)
- Burning of specified landscape waste allowed with time/day restrictions
- Occurs on the premises where the landscape waste was generated.
- No closer than 50' to school property line, 50' from centerline of road, 25' from building, 25' from side property line

# Complaints

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- Lake County enforcement staff does not track complaints as landscape waste burning outside of designated area is not a violation. Staff report they receive a handful of complaints each burn season (spring/fall)
- Lake County's Building Official contacted all Fire Protection Districts in January 2019:
  - 10 responses received – No clear pattern of complaints. Replies included: “not too many”, “4-5 per year”, “semi-regular basis”

# Municipal Regulations





# Municipalities with Restrictions

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## Examples of Restrictions:

- No leaves or grass clippings
- Only brush and leaves
- 30' feet from any structure
- Permit required
- Time restrictions:
  - Weekends only
  - No national holidays
  - No Sundays
  - Specified times of year

# Unincorporated Yard Waste Pick-Up

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- Currently 3 townships offer yard waste pickup
  - Lake Villa subscription for yard waste
  - Warren included in base price
  - Ela included in base price
- 3 townships passed referendum in November 2018 to provide consolidated waste service
  - Shields
  - Fremont
  - Avon

# Municipal Yard Waste Pick-Up

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- 51 of 52 municipalities offer consolidated waste hauling services
- Only 2 municipalities do not offer consolidated waste hauling and also have burning restrictions
- 19 municipalities offer food scrap w/yard waste
- 51 municipalities offer yard/leaf pick-up but services vary:
  - Included, subscription vs. sticker
  - Bags, cans vs. vacuum
  - Time of year, frequency of pick up

# McHenry County Burning Restrictions

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- McHenry placed additional restrictions on open burning in April 2008:
  - No burning landscape waste within:
    - 100' of habitable structure
    - 50' of non-habitable structure
  - During April, May, October, and November (weekends only)
  - Between dawn and dusk
  - When winds are less than 10mph
  - Must be supervised by person 18 yrs. or older
- Burning 500' or further from habitable structure is allowed any month, any day of week, any time of day



# McHenry Consolidated Services

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- Received 675 burning complaints in 2008-2009, dropped after franchise agreements
- McHenry exercised their statutory authority to franchise on behalf of their unincorporated residents in December 2008
- Did not franchise for entire county
  - Started with area with most dense population and frequency of complaints
  - Did not franchise within townships who already had services

# Next Steps (Option 1)

- Analyze options for clean air regulations, including burning ban
  - Includes franchising options and scenarios
- Document burn complaints in fall 2019 and spring 2020
- Conduct GIS analysis of population density, lot size, etc.

# Next Steps (Option 2)

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- Conduct analysis included in Option 1
- Amend Nuisance Ordinance to expand Designated Area restrictions to all unincorporated areas, subject to modification
  - Time, Place, Manner Restrictions

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Questions?