



Open Burning and Waste Hauling Regulatory Options

PWPT/E&E Joint Committee Presentation

Planning, Building & Development

August 4, 2021

Discussion Items

- Background
- Public Engagement
- Policy Options
- Next Steps
- Questions



Source: Plainfield, VT



Background

Background & History



- **Lake County Nuisance Ordinance historically prohibited burning of garbage and construction materials**
- **Stevenson-area landscape waste open burning restrictions adopted in 2011 – tailored to school-area impacts**
- **Majority of Lake County municipalities (and metro counties) now ban/restrict landscape waste open burning**
- **6 Lake County Townships (and majority of municipalities) now franchise waste hauling including landscape waste**
- **At onset of COVID, Lake County adopted Temporary Open Burning Restrictions (from May 2020 through October 2021)**

Temporary Open Burning Ordinance



- **First enacted on May 12, 2020 and in effect until October 2021**
- **Days Allowed: Tuesday, Thursday, and Saturday**
- **Time Allowed: Sunrise to Sunset**
- **Exception: Can burn in an area 500+ feet from structures any day from sunrise to sunset**

Current General Nuisance Prohibitions:

Construction materials (example: treated lumber and insulation, etc.)

Garbage (example: food waste, plastics and electronics, etc.)

- ❖ Fire Districts enforce overlapping requirements for fire safety
- ❖ Most Municipalities Ban/Restrict All Open Burning Activities

Waste Services RFP

Goal: Expand range of services at competitive cost

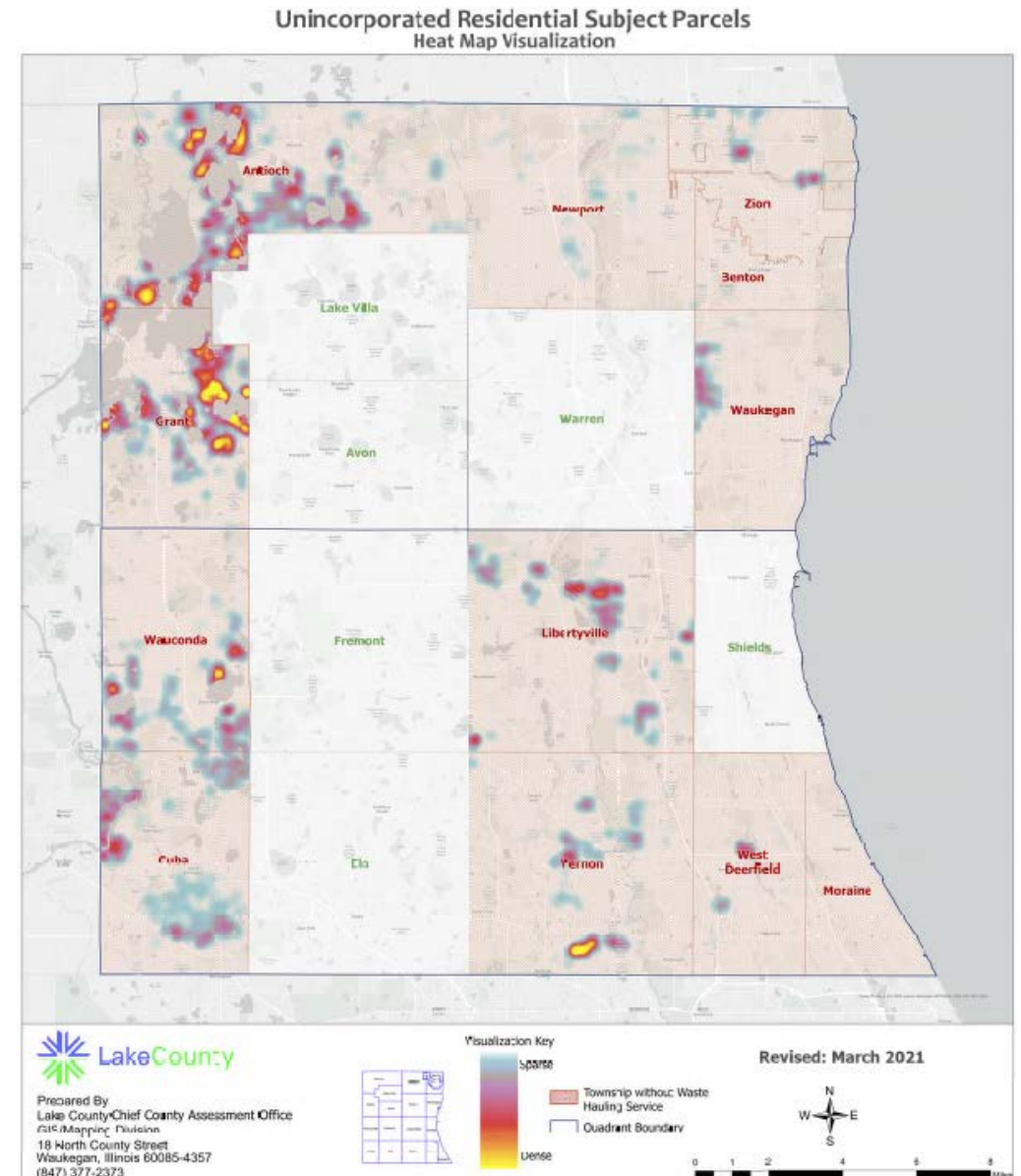
- Can reduce hauler traffic

Scope 1:

- Garbage, large-wheeled cart
- Recycling, standard size
- Landscape waste, menu of options
- Possible food scraps mixed

Scope 2:

- Landscape waste only (no trash)
- Possible food scraps mixed





Public Engagement

Public Engagement Timeline



**Website & 1st
Survey Opens**
Feb. 2021

Virtual Meeting
July 13, 2021

2nd Survey Opens
July 22, 2021

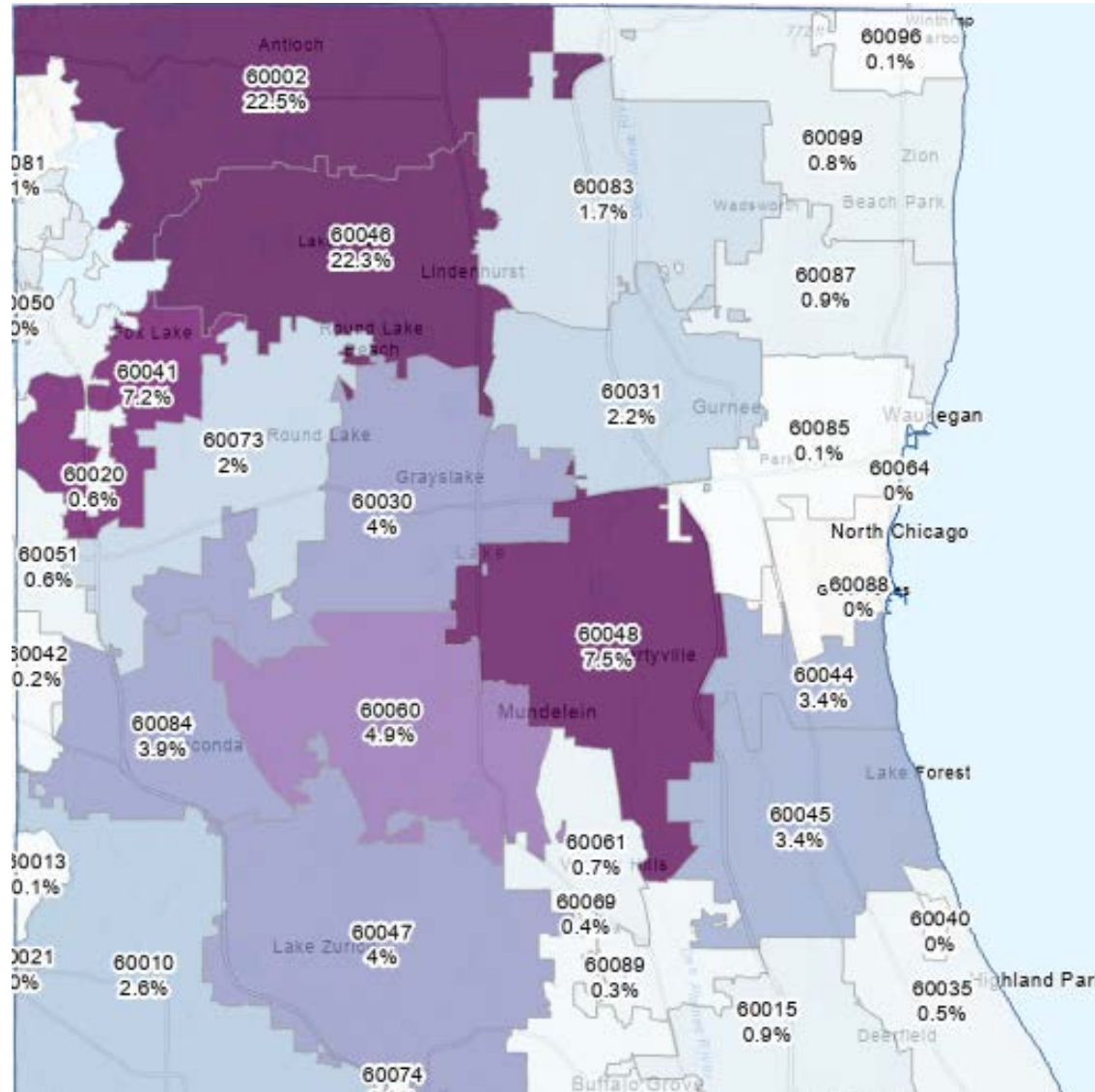
Joint PWPT/E&E Hearing
Aug. 4, 2021

**Committee Discussion,
Action, & Recommendation**
Tent. Sept. 1 and 8

First Survey

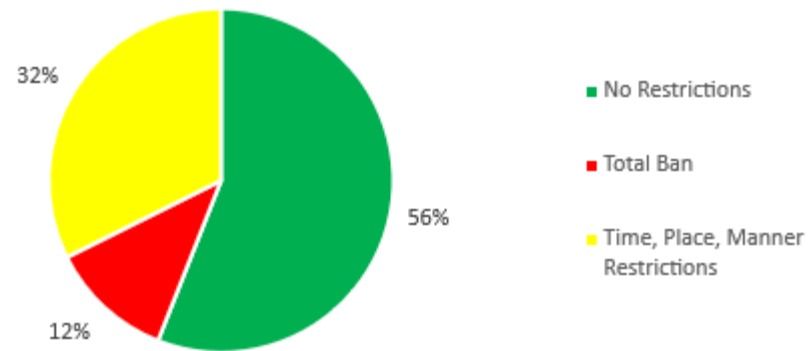
- **1,279 respondents**
- **Topics included:**
 - **Residential landscape waste disposal methods**
 - **Preferences for open burning regulations**
 - **Preferences for waste hauling franchise**
 - **Residential waste hauling costs**
- **Dates: February 22, 2021 to July 20, 2021**
- **Accessible online**

Survey 1: Open Burning Survey Responses by Zip Code

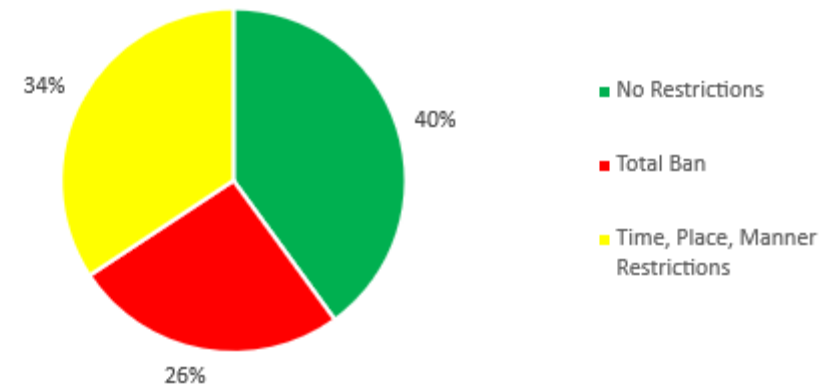


First Survey Responses: Open Burning

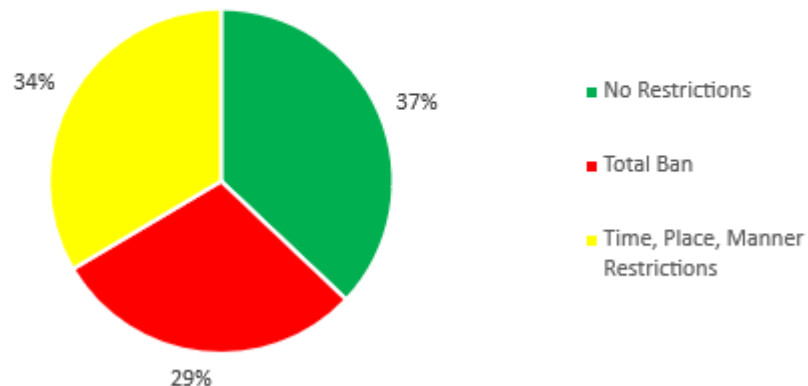
Support for Open Burning in NW Quadrant
Round 1 Survey



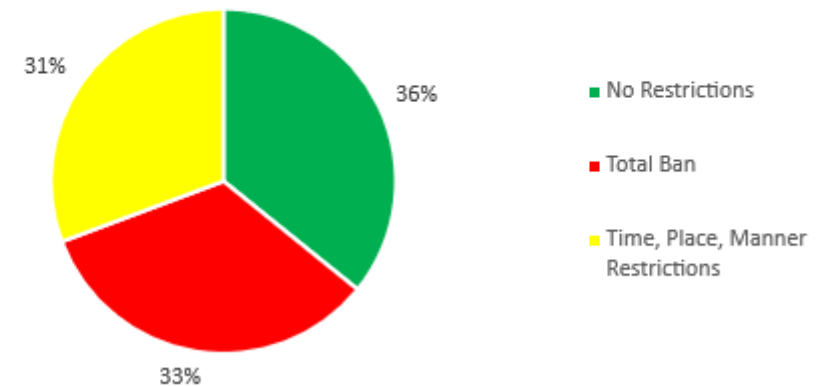
Support for Open Burning in NE Quadrant
Round 1 Survey



Support for Open Burning in SW Quadrant
Round 1 Survey



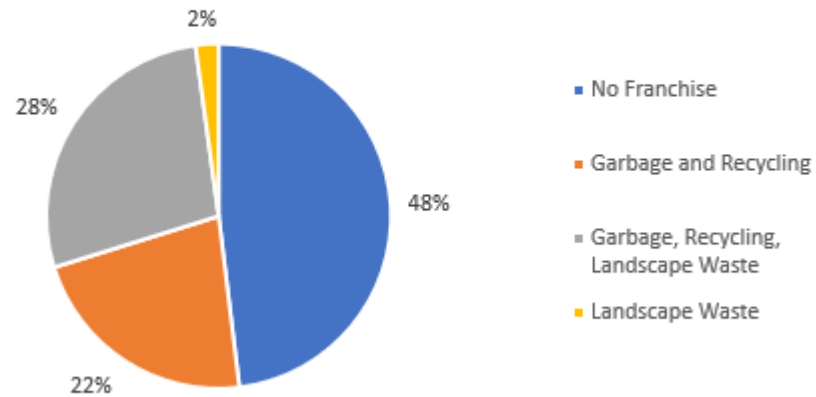
Support for Open Burning in SE Quadrant
Round 1 Survey



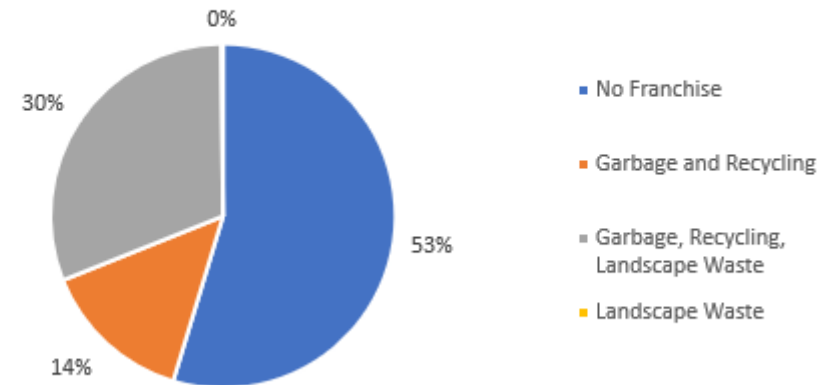
First Survey Responses: Waste Hauling



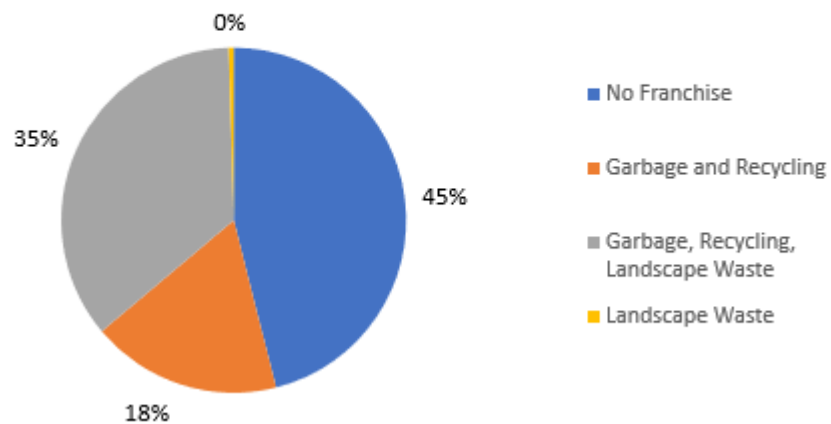
Waste Hauling Preference NW Quadrant
Round 1 Survey



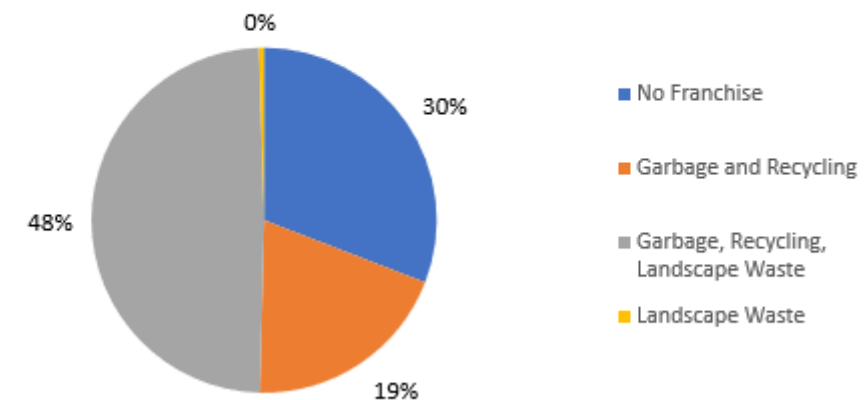
Waste Hauling Preference NE Quadrant
Round 1 Survey



Waste Hauling Preference SW Quadrant
Round 1 Survey



Waste Hauling Preference SE Quadrant
Round 1 Survey



Virtual Meeting – July 13



- **Lake County staff hosted a virtual meeting that provided an update on:**
 - **Open burning in the unincorporated areas**
 - **The work Lake County is doing to evaluate viable landscape disposal options**
 - **Potential next steps**
- **235 people viewed the meeting**
- **176 comments from 58 participants**
- **Residents are concerned about the volume of landscape waste, cost of waste hauling, and ability to choose their own hauler or disposal options**

Second Survey

- **499 respondents***
- **Topics included:**
 - **Methods of landscape waste disposal**
 - **What and when do residents burn**
 - **Preferences for time/place/manner restrictions**
 - **Waste hauling costs (specific)**
- **Dates: Opened 7/22/21 (ongoing)**
- **Accessible online**

**As of 7/27/21 at 1:30 PM*

Summary of Second Survey

- Public comments show for those respondents that favor time/place/manner restrictions, the most popular restrictions include:
 - Limited to certain days of week (16%)
 - Limited to certain types of landscape waste (10.5%)
 - Minimum distance from dwellings (10.5%)
- Of respondents who oppose franchising on the basis of cost and loss of choice, these concerns ranked accordingly:
 - Potential increased cost (56%)
 - Loss of personal choice (23%)





Policy Options

Collar County Examples



County	DuPage	Kane	McHenry	Will
Time		<ul style="list-style-type: none"> 10 am to 3 pm No ozone alert; on sunny days; winds less than 10 MPH 	<ul style="list-style-type: none"> April, May, Oct., Nov. Weekends only Dawn to dusk Winds less than 10 MPH 	---
Place	Total Ban	<ul style="list-style-type: none"> Dense ZIP codes – may burn brush only Less dense ZIP codes – may burn all landscape waste 20' from all structures and property lines 	<ul style="list-style-type: none"> Burning allowed min. 100' from habitable structure & 50' from any other structure 500' exemption – may burn at any time, day, and month 	<ul style="list-style-type: none"> 50' from any structure
Manner		<ul style="list-style-type: none"> Must be supervised Extinguisher/water nearby 	<ul style="list-style-type: none"> Must be supervised Extinguisher/water nearby 	<ul style="list-style-type: none"> Must be supervised Extinguisher/water nearby Leaves, sticks, logs, branches, bushes

Burning Restriction - Options



Ban - No burning allowed



Time – Limited to specific months, days, and hours



Place – Limited by distance to buildings, property lines, or other features



Manner – Limited by how and what landscape waste can be burned



No restrictions

Burning Policy Options - Time



	Months	Days	Time of Day
Summary	<ul style="list-style-type: none">• Limit burning to certain months of the year	<ul style="list-style-type: none">• Limit burning to certain days of the week/month	<ul style="list-style-type: none">• Limit burning to certain times of day
Pros	<ul style="list-style-type: none">• Can avoid months when most people are outside• Ensure that landscape waste is properly dried or target specific waste (e.g. leaves)	<ul style="list-style-type: none">• Allows people to plan outdoor activities• Can avoid days when school is in session• No need for stockpiling	<ul style="list-style-type: none">• Allows people to plan outdoor activities• Limits burn activity to specific times• No need for stockpiling
Cons	<ul style="list-style-type: none">• Residents may have to stockpile and burn when allowed	<ul style="list-style-type: none">• Can exclude some people that have schedule conflicts	<ul style="list-style-type: none">• Shift workers may find scheduling difficult (mitigated by day flexibility)
Examples	<ul style="list-style-type: none">• Limited to November through April, only during fall season, etc.	<ul style="list-style-type: none">• Limited to Fridays and Saturdays, first Friday of month, etc.	<ul style="list-style-type: none">• Limited from 10 am to 4 pm, sunrise to sunset, etc.

Burning Policy Options - Place



	Minimum Distance	Large-Lot Exemptions
Summary	<ul style="list-style-type: none">Burning can only occur a certain distance from dwellings, structures, schools, or lot lines	<ul style="list-style-type: none">Remove restrictions if burning is sufficiently far from other structures
Pros	<ul style="list-style-type: none">Moves potential nuisance away from properties, homes, or schools	<ul style="list-style-type: none">Utilize burning where disposal burden is greatest (volume), allows ecological/prescribed burns
Cons	<ul style="list-style-type: none">Creates greater disposal burden on small lots	<ul style="list-style-type: none">Regular, large volume fires may be a limited nuisance
Examples	<ul style="list-style-type: none">Burning can only occur more than 100' from a dwelling off-site or school, 25' from any structure, etc.	<ul style="list-style-type: none">Burning more than 500' from a dwelling offsite can occur on any day, month, or time, 25' from any structure, etc.

Burning Policy Options - Manner



	Materials	Safety Measures
Summary	<ul style="list-style-type: none">• Allow burning of only certain landscape materials• Ban the burning of certain landscape materials	<ul style="list-style-type: none">• Impose safety measures to ensure safe burning
Pros	<ul style="list-style-type: none">• Can exclude materials that burn at low temperatures, excessively smoky, release toxins	<ul style="list-style-type: none">• Can prevent out of control fires• Minimize risk (injury, death, property damage)
Cons	<ul style="list-style-type: none">• Residents must find other disposal options for excluded materials	---
Examples	<ul style="list-style-type: none">• Ban burning grass clippings• Only allow burning dry wood and landscape waste	<ul style="list-style-type: none">• Supervised by adult over 18 years of age at all times• Must have fire extinguisher or water nearby• Environmental Restriction (Ozone action day, wind speed, etc.)






Waste Policy Options - Franchising



	Garbage, Recycling & Landscape Waste	Landscape Waste Only
Summary	<ul style="list-style-type: none">• All services provided by one waste hauler	<ul style="list-style-type: none">• Landscape waste services provided by selected vendor (no change to existing garbage & recycling service providers)
Pros	<ul style="list-style-type: none">• Lower costs than reported average (garbage & recycling)• Can opt out of landscape services• Less hauler traffic• Reduced landscape waste burden	<ul style="list-style-type: none">• Can opt out of landscape waste services• Reduced landscape waste burden
Cons	<ul style="list-style-type: none">• No hauler choice	<ul style="list-style-type: none">• May increase total costs of waste services if opting in (no discount for G & R services)

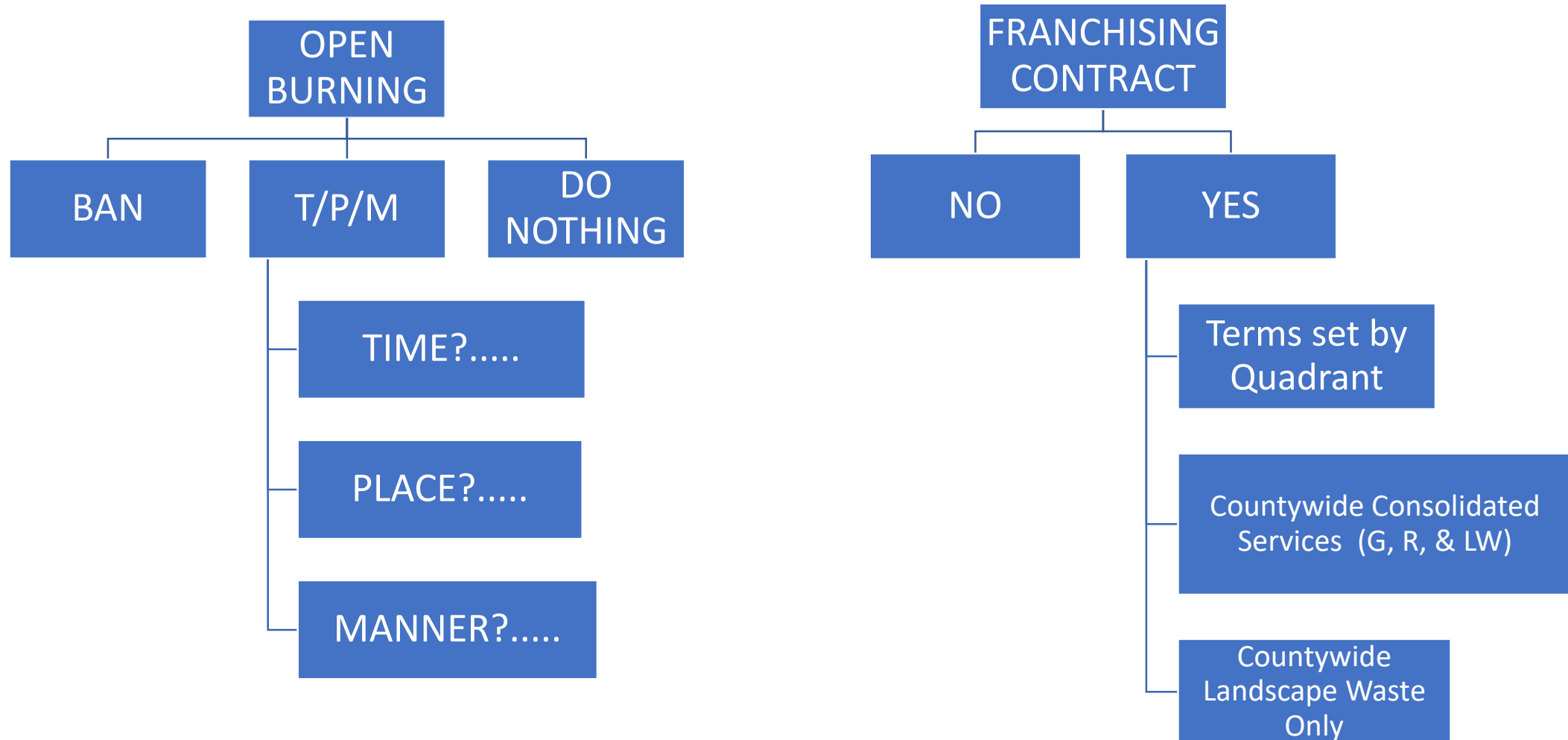
Policy Matrix



		Open Burning		
		Total Ban 	Time/Place/Manner   	No New Regulation 
Waste Hauling Franchise	None	Pros: Hauler choice; reduced nuisance Cons: No option to burn/fewer disposal options; no reduction in hauler traffic	Pros: Hauler choice; reduced nuisance Cons: No reduction in hauler traffic	Pros: Hauler choice Cons: No reduction in hauler traffic; continued nuisance
	GRL	Pros: Lower cost than reported average (G & R); less hauler traffic; reduced nuisance; can opt out of L Cons: No option to burn/fewer disposal options; no hauler choice	Pros: Lower cost than reported average (G & R); less hauler traffic; reduced nuisance; can opt out of L Cons: No hauler choice	Pros: Lower cost than reported average (G & R); less hauler traffic; can opt out of L Cons: No hauler choice; continued nuisance
	L	Pros: No loss of choice; can opt out; reduced nuisance Cons: No discount for G & R services; no reduction in hauler traffic	Pros: No loss of choice; can opt out; reduced nuisance Cons: No discount for G & R services; no reduction in hauler traffic	Pros: No loss of choice; can opt out Cons: Continued nuisance; no reduction in hauler traffic

G=Garbage; R=Recycling; L=Landscape Waste

Policy Option Decision Tree





Committee Discussion and Direction

Next Steps

