



# Lake County Illinois

## Legislation Details (With Text)

**File #:** 22-0235      **Version:** 1      **Name:** Ordinance to reinstate the Lake County Temporary Public Nuisance Ordinance

**Type:** resolution      **Status:** Passed

**File created:** 2/2/2022      **In control:** Lake County Board

**On agenda:**      **Final action:** 2/8/2022

**Title:** Ordinance to reinstate the Lake County Temporary Public Nuisance Ordinance.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. \_REINSTATED LAKE COUNTY TEMPORARY NUISANCE ORDINANCE - (v10)

Date	Ver.	Action By	Action	Result
2/8/2022	1	Lake County Board	adopted	Pass

Ordinance to reinstate the Lake County Temporary Public Nuisance Ordinance.

- On January 11, 2022, the County Board amended the Public Nuisance Ordinance to place permanent restrictions on open burning of specified landscape waste effective June 1, 2022.
- In anticipation of the Spring 2022 landscape waste burning season (prior to the effective date of the permanent open burning restrictions), and in order to limit the hazards of smoke from open burning during this interim period, staff has prepared an ordinance to reinstate temporary restrictions on open burning in the unincorporated areas that had expired on January 1 in advance of Board action on the permanent regulations.
- This reinstated Temporary Public Nuisance Ordinance will again permit opening burning of specified landscape waste on unincorporated residential properties at specified times and on limited days, as well in those instances where the burning occurs at least 500' to the nearest habitable structure. Exemptions for recreational fires, the use of self-contained outdoor burn devices under certain criteria, and prescribed habitat and ecological landscape burns have been retained in the text.
- The reinstated temporary regulations will go into effect immediately upon Lake County Board adoption of Exhibit A and expire on May 31, 2022.
- This item was added directly to the County Board agenda pursuant to section IV.D.4 of the County Board Rules of Order and Operational Procedures.

### ORDINANCE

**WHEREAS**, pursuant to 720 ILCS 5/47-5, counties have authority to declare what shall be public nuisances and to abate the same with respect to the territory within the county and outside the corporate limits of any city, village, or incorporated town; and

**WHEREAS**, based upon available information from the Centers for Disease Control (CDC),

people of all ages, including those who have underlying respiratory medical conditions and those who do not, are at higher risk for developing more serious symptoms and/or complications if they contract COVID-19 when exposed to smoke from open burning; and

**WHEREAS**, the Lake County Temporary Public Nuisance Ordinance mitigates these and other public health risks; and

**WHEREAS**, the Lake County Board has taken action on January 11 to institute permanent restrictions on the open burning of landscape waste effective June 1, 2022, and there is a need to mitigate the hazards of smoke from open burning prior to that time; and

**NOW, THEREFORE, BE IT ORDAINED** by this County Board of Lake County, Illinois, that the Lake County Temporary Public Nuisance Ordinance as attached in Exhibit A be reinstated to expire on May 31, 2022; and

**BE IT FURTHER ORDAINED** that the Clerk of the County Board shall keep a record of this action.

**DATED AT WAUKEGAN, LAKE COUNTY, ILLINOIS**, this 8<sup>th</sup> day of February, 2022.