



Lake County Illinois

Legislation Details (With Text)

File #: 08-0833 **Version:** 1 **Name:** Board of Health Ordinance Article XIII Amendment
Type: resolution **Status:** Passed
File created: 10/27/2008 **In control:** Health and Community Services Committee
On agenda: **Final action:** 11/18/2008
Title: Amendment to the Lake County Board of Health Ordinance Article XIII (Fees Schedule).
Sponsors:
Indexes:
Code sections:
Attachments: 1. BOH Article XIII w/ Proposed Changes

Date	Ver.	Action By	Action	Result
11/18/2008	1	Lake County Board	adopted	Pass
11/12/2008	1	Financial & Administrative Committee	recommended for adoption to the regular agenda	Pass
11/11/2008	1	Health and Community Services Committee	approved and referred on to the Financial and Administrative Committee	Pass

Amendment to the Lake County Board of Health Ordinance Article XIII (Fees Schedule).

- Certain Lake County Board of Health Ordinances establish requirements for permits or licenses that must be renewed on an annual basis.
- Most annual permits and licenses must be renewed by January 1st (June 1st for vending machines), and Lake County Board of Health Ordinance Article XIII (Environmental Health Fees) applies late fees to annually renewed permits or licenses not paid when due as follows:
 - **25% after February 15** (July 15 for Vending Machine Permits)
 - **50% after March 15** (August 15 for Vending Machine Permits)
 - **100% after April 15** (September 15 for Vending Machine Permits)
- This provision of “payment options” extending 3 ½ months beyond the permit/license renewal deadline establishes a circumstance that is directly contrary to the provisions of those Ordinances establishing the permit/license requirement. Lake County Board of Health Ordinance Article III (“Regulation of Food Service Facilities”), for instance, establishes that operating a restaurant without a valid permit is an imminent health hazard. Some restaurants, however, will operate each year without a valid permit for longer than 4 months before enforcement action is clearly authorized by these conflicting provisions.
- This revision to Article XIII proposes to delete the sections establishing 50% and 100% late fees, and shifts the 25% late fee to a date 30 days beyond the established renewal deadline (February 1st for all permits/licenses except vending machines which is proposed for July 1st). Retaining a 30 day grace period provides a reasonable accommodation for permittee/licensee oversights, but removes the implicit suggestion that permits/licenses need not be renewed until several months beyond the deadline have passed.
- This revision may result in a modest loss of revenue (< \$3,000) according to estimates.

WHEREAS, the Lake County Health Department is authorized to enforce local ordinances regulating Food Service Facilities, non-community water systems, and individual sewage disposal system professionals to protect the public’s health; and

WHEREAS, the ordinances that authorize this enforcement, Lake County Board of Health Ordinances Article III (*Regulation of Food Service Facilities*), Article XV (*Regulation of Wells, Private, Semiprivate, and Non-community Water Supplies*) and Article V (*Regulation of Individual Sewage Disposal Systems and Registration and/or Licensing of Individual sewage Disposal System Professionals*) also authorize the Lake County Health Department to assess and collect fees for permits and/or licenses described in these ordinances; and

WHEREAS, these fees are established in Lake County Board of Health Ordinance Article XIII (Fees Schedule); and

WHEREAS, the Lake County Health Department has proposed amendments to Lake County Board of Health Ordinance Article XIII related to the assessment of late fees for annually renewed permits and licenses; and

WHEREAS, the Lake County Board of Health has approved the proposed amendments to Lake County Board of Health Ordinance Article XIII; and

WHEREAS, the Lake County Board of Health has recommended that the proposed amendments to Lake County Board of Health Ordinance Article XIII be referred to the County Board for approval; and

NOW, THEREFORE, BE IT RESOLVED, by this County Board of Lake County, Illinois that the amendments to Lake County Board of Health Ordinance Article XIII herewith be approved and made a matter of Lake County law.

BE IT FURTHER RESOLVED, that the Lake County Clerk is hereby authorized to distribute certified copies of the amended Ordinance to the County Administrator, Comptroller, and the Executive Director of the Lake County Health Department.

DATED, at Waukegan, Lake County, Illinois on this 18th day of November, A.D., 2008.