



# Lake County Illinois

## Legislation Text

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**File #:** 15-1241, **Version:** 1

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Ordinance amending Chapter 94: Public Nuisances, of the Lake County Code of Ordinances.

- As an agent of the Illinois Department of Public Health, the Health Department conducts the Lead Program per an annual contractual agreement.
- Part of the required duties of the Lead Program is to pursue mitigation of lead hazards in buildings where an elevated blood lead level has been detected in a child.
- When a building owner does not comply with the mitigation requirements or refuses to grant entry to assess the hazard, the only recourse the Health Department has is to file misdemeanor charges through the circuit court.
- The Health Department seeks to use the County administrative adjudication process, as it has proven to be an effective and efficient means of seeking compliance.
- The amendments to Chapter 94 would codify the failure to mitigate a lead hazard or to allow access to assess a lead hazard as a public nuisance, and will allow the use of the administrative adjudication citation and hearing process to attain compliance.

### **ORDINANCE**

**WHEREAS**, the Lake County Board incorporated the Lake County Public Nuisance Ordinance into the Lake County Code of Ordinances at Chapter 94 on February 10, 2015; and

**WHEREAS**, the Lake County Health Department is authorized to enforce specific sections of this Chapter: and

**WHEREAS**, the Lake County Health Department is proposing amendments to a section of this Chapter over which it has enforcement authority; and

**WHEREAS**, the proposed amendments regarding declaring the failure to mitigate a lead hazard or to fail to allow access to perform a lead risk assessment will enhance the Lake County Health Department's efforts to mitigate lead hazards and protect the health and safety of affected children; and

**WHEREAS**, the Lake County Board of Health has approved the proposed amendments to Chapter 94 on August 19, 2015; and

**WHEREAS**, the Lake County Board of Health has recommended that the proposed amendments to Chapter 94 be referred to the County Board for approval.

**NOW, THEREFORE, BE IT ORDAINED**, by this County Board of Lake County, Illinois, that the amendments to Lake County Code of Ordinances Chapter 94 herewith be approved and made a matter of Lake County law.

**BE IT FURTHER ORDAINED**, 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, Illinois, on December 8, 2015.