



Lake County Illinois

Legislation Details (With Text)

File #: 19-0775 **Version:** 1 **Name:** Amendments to Chapter 171 OWTS
Type: resolution **Status:** Passed
File created: 4/25/2019 **In control:** Health and Community Services Committee
On agenda: **Final action:** 5/14/2019
Title: Resolution amending Chapter 171 of the Lake County Code of Ordinances (Onsite Wastewater Treatment Systems-OWTS)
Sponsors:
Indexes:
Code sections:
Attachments: 1. Ch 171 Revisions February 2019 REVISED SECTIONS ONLY 03_05_2019

| Date | Ver. | Action By | Action | Result |
|-----------|------|---|--|--------|
| 5/14/2019 | 1 | Lake County Board | adopted | Pass |
| 5/7/2019 | 1 | Health and Community Services Committee | recommended for adoption to the consent agenda | Pass |

Resolution amending Chapter 171 of the Lake County Code of Ordinances (Onsite Wastewater Treatment Systems-OWTS)

- Revisions are proposed to multiple sections of the ordinance that apply to issuing permits where a public sewer system is available.
 - The definition of a “public sewer” was added, which specifies that the sewer is “owned and/or operated by a governmental body or public utility.”
 - Revisions are proposed to clarify the language in Section 171.035 (f), which contains requirements regarding public sewer availability. Also, in that section, the “reasonable distance” requirement to a public sewer is proposed to be changed from 250 feet to 300 feet, at the direction of the Illinois Department of Public Health in order to conform with the State Code.
 - Section 171.258, regarding variances, is proposed to be amended to reflect the new definition of public sewer.
- Other proposed revisions are:
 - In Section 171.068 (B)(2), proposes the requirement for a licensed contractor to evaluate and prepare a report on the construction and operational status of the existing system when there is a project to replace a building in the same footprint and use the existing OWTS. This requirement is proposed in order to provide better assurance that the existing OWTS will function properly for the new structure.
 - Section 171.216 (L)(2), which required an inset geographical sketch of a property location on a proposed plan, was stricken as modern geographic information systems make that requirement unnecessary.
 - Two tables in Appendix B (tables B.2 and B.3) were amended for clarity and to correct a typographical error.
 - The Minimum Setback Distance table in Appendix D was amended to change the setback distances required between OWTS components and patios, sidewalks, and retaining walls to be the same as those required for driveways.

RESOLUTION

WHEREAS, the Lake County Health Department is authorized to enforce a local ordinance regulating onsite wastewater treatment systems to protect the public's health and safety; and

WHEREAS, the Lake County Board incorporated the Lake County Onsite Wastewater Treatment Systems Ordinance into the Lake County Code of Ordinances at Chapter 171 on November 12, 2013; and

WHEREAS, the Lake County Health Department is proposing amendments to this Chapter for clarity and to correct errors; and

WHEREAS, the Lake County Board of Health has approved the proposed amendments to Chapter 171 on April 24, 2019; and

WHEREAS, the Lake County Board of Health has recommended that the proposed amendments to Chapter 171 be referred to the County Board for approval.

NOW, THEREFORE, BE IT RESOLVED, by this County Board of Lake County, Illinois, that the amendments to Lake County Code of Ordinances Chapter 171 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 May 14, 2019.