



# Lake County Illinois

## Legislation Details (With Text)

<b>File #:</b>	20-1354	<b>Version:</b>	1	<b>Name:</b>	Ordinance amending the Lake County Temporary Emergency Public Nuisance Ordinance
<b>Type:</b>	ordinance	<b>Status:</b>	Passed		
<b>File created:</b>	9/28/2020	<b>In control:</b>	Public Works, Planning & Transportation Committee		
<b>On agenda:</b>		<b>Final action:</b>	10/13/2020		
<b>Title:</b>	Ordinance amending the Lake County Temporary Emergency Public Nuisance Ordinance.				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. MODIFIED LAKE COUNTY TEMPORARY EMERGENCY NUISANCE ORDINANCE - (v5) FINAL 9_30.pdf				

Date	Ver.	Action By	Action	Result
10/13/2020	1	Lake County Board	adopted	Pass
10/7/2020	1	Public Works, Planning & Transportation Committee	recommended for adoption to the regular agenda	Pass

### Ordinance amending the Lake County Temporary Emergency Public Nuisance Ordinance.

- On May 12, 2020, the County Board adopted the Lake County Temporary Emergency Public Nuisance Ordinance to enact a temporary ban on open burning in the unincorporated area for a period extended from May 12 to June 10, coinciding with the spring landscape waste burning season. This ban was further extended by the County Board on June 9, July 14, and again on August 11, and is currently set to expire on October 14.
- The ordinance recognizes the increased risk of negative health impacts from open burning on individuals who have been infected with COVID-19.
- At the July Public Works Planning and Transportation Committee meeting, the Committee directed staff to prepare an amendment to the Temporary Emergency Ordinance to extend the ban subject to an exception allowing open burning on unincorporated residential properties at specified times and on limited days.
- At the August 11, 2020 County Board meeting, amendments to the Temporary Emergency Ordinance were adopted to allow burning of specified landscape waste and woody materials on Tuesdays, Thursdays, and Saturdays from sunrise to sunset, and continue to allow recreational fires and the use of self-contained outdoor burn devices under certain criteria.
- Since that time, Planning Building and Development staff has received feedback from several owners of large properties (five acres or greater) referring to difficulties encountered when attempting to dispose of their landscape waste within the parameters of the current Temporary Emergency Ordinance. As such, staff is returning to committee to propose a further amendment to the temporary ordinance to accommodate disposal on these properties.
- Staff's proposed amendment will allow open burning of specified landscape waste and woody materials from sunrise to sunset on any day of the week if the burning occurs at least five hundred feet (500') from a habitable structure.
- County Board action is anticipated on October 13.

- This amended temporary ordinance will go into effect immediately upon County Board adoption of Exhibit A and expire on December 31, 2020.

## **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 with underlying respiratory medical conditions, including chronic lung disease and asthma, are at higher risk for developing more serious complications if they contract COVID-19. Smoke from open burning can exacerbate these residents' respiratory conditions and further compromise their ability to fend off potentially severe effects of COVID-19. Additionally, people who do not have underlying conditions can experience more severe COVID-19 symptoms when exposed to smoke from open burning; and

**WHEREAS**, the Lake County Temporary Emergency Public Nuisance Ordinance mitigates these public health risks.

**NOW, THEREFORE, BE IT ORDAINED** by this County Board of Lake County, Illinois, that the Lake County Temporary Emergency Public Nuisance Ordinance as attached in Exhibit A be amended to expire on December 31, 2020; 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 13<sup>th</sup> day of October, 2020.