



Lake County Illinois

Legislation Details (With Text)

File #: 22-0011 **Version:** 1 **Name:** Ordinance amending Chapter 94: Public Nuisances of the Lake County, Illinois Code of Ordinances regulating open burning of landscape waste.

Type: ordinance **Status:** Passed

File created: 12/20/2021 **In control:** Public Works, Planning & Transportation Committee

On agenda: **Final action:** 1/11/2022

Title: Ordinance amending Chapter 94: Public Nuisances of the Lake County, Illinois Code of Ordinances regulating open burning of landscape waste.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 22-0011-Exhibit A-Redline-OpenBurning, 2. 22-0011-Exhibit B-ALP-CleanFormat-OpenBurning, 3. 22-0011-Exhibit C Compiled Public Comments

Date	Ver.	Action By	Action	Result
1/11/2022	1	Lake County Board	adopted	Pass
1/5/2022	1	Public Works, Planning & Transportation Committee	recommended for adoption to the regular agenda	Pass

Ordinance amending Chapter 94: Public Nuisances of the Lake County, Illinois Code of Ordinances regulating open burning of landscape waste.

- Over the past 2 years, the Planning, Building and Development Department has explored options for permanent landscape waste burning restrictions and has sought and received significant public input on this topic. The compiled public comments are attached as “Exhibit C”.
- Through a series of Committee presentations and discussions beginning in August 2021, staff has received Committee feedback and has continued to refine a draft set of text amendments restricting the open burning of landscape waste in the unincorporated areas.
- All recommended amendments and modifications are included and identified in “Exhibit A”. These recommended amendments are formatted and ready for codification as reflected in “Exhibit B”.
- The Ordinance will become effective on June 1, 2022.

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, smoke from open burning of landscape waste can exacerbate residents’ respiratory conditions including chronic lung disease and asthma and otherwise affect healthy individuals; and

WHEREAS, open burning of landscape waste also increases the potential risk of uncontrolled spread of fire; and

WHEREAS, the smoke and fire risk associated with open burning of landscape waste within unincorporated areas can affect residents throughout Lake County; and

WHEREAS, in light of the negative impacts that result from unregulated open burning of landscape waste, a slim majority of municipalities throughout Lake County have enacted bans on open burning, and while nearly half of municipalities throughout Lake County have enacted restrictions on open burning; and

WHEREAS, the amendments to Chapter 94 Public Nuisances will similarly mitigate the aforementioned public health and safety risks resulting from the open burning of landscape waste; and

WHEREAS, your Public Works, Planning and Transportation Committee duly considered the proposed text amendments aforescribed and recommends that the text amendments be approved as specified in Exhibit B; and

NOW, THEREFORE, BE IT ORDAINED by Lake County Board, that the amendments to Chapter 94 of the Lake County, Illinois Code of Ordinances as contained in Exhibit B and attached hereto be adopted and be in full force and effect beginning on June 1, 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 11th day of January, 2022.