



# Lake County Illinois

## Legislation Text

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File #: 22-0011, Version: 1

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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 11<sup>th</sup> day of January, 2022.