

**PUBLIC HEALTH**

**& SAFETY**

**COMMITTEE**

**RESOLUTIONS**





Public Health & Safety Committee  
Ordinance #09-245

**ORDINANCE OF THE COUNTY BOARD  
WILL COUNTY, ILLINOIS**

**Amending Will County Code of Ordinances Chapter 93  
Pertaining to Nuisance Fires**

WHEREAS, the Will County Board finds it in the best interest of its citizens to amend Chapter 93 of the Code of Ordinances specifically pertaining to nuisance fires, and

WHEREAS, in order to provide for the health, safety and welfare of its residents, this ordinance is being updated and amended, and

WHEREAS, public hearings were conducted on February 11, 2009 and May 14, 2009 during the Public Health & Safety Committee Meetings and during the Public Health & Safety Report at the Will County Board Meeting on June 18, 2009 to solicit public concerns and comments, and

WHEREAS, the Public Health & Safety Committee recommends the attached changes be made to Chapter 93 of the Will County Code of Ordinances pertaining to nuisance fires and recommends approval by the full County Board.

NOW, THEREFORE, BE IT ORDAINED, that the Will County Board hereby amends Chapter 93 of the Will County Code of Ordinances pertaining to nuisance fires, as attached hereto, and that these amendments become effective immediately upon adoption by the Will County Board.

BE IT FURTHER ORDAINED, that the Preamble of this Ordinance is hereby adopted as if fully set herein. This Ordinance shall be in full force and effect upon its passage and approval as provided by law.

Adopted by the Will County Board this 20<sup>th</sup> day of August, 2009.

Vote: Yes\_\_\_ No\_\_\_ Pass\_\_\_\_\_ (SEAL)

\_\_\_\_\_  
Nancy Schultz Voots  
Will County Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Lawrence M. Walsh  
Will County Executive



## NUISANCE FIRES

### §93.015 AUTHORITY

This subchapter is enacted pursuant to authority given by 55 ILCS 5/5-1052.  
(Res. \_\_\_\_\_ adopted \_\_\_\_\_).

### §93.016 PURPOSE

The purpose of this subchapter is to define and abate public nuisances which are a detriment to the people of the county. The nuisance defined herein is detrimental to the public health, safety, and welfare. (Res. 85-179, adopted 12-19-85).

### §93.017 PERMIT REQUIRED.

Waste materials of any nature shall not be disposed of by burning on the premises or in the immediate vicinity without having obtained a permit from the state or the state E.P.A. (Res. 85-179, adopted 12-19-85).

### §93.018 LOCATION OF FIRES.

Fires shall be located not less than 50 feet , unless otherwise specifically provided for herein, from any ~~property line or~~ **neighboring structure** with adequate provision made to prevent spreading of the fire

**Legitimate recreation fires shall be located not less than 50 feet from any neighboring structure.** ~~or the fire shall be contained in an approved waste burner located not less than 15 feet from any structure.~~

**Burning in right-of-way is strictly prohibited.**

**Fires contained in a "patio wood-burning unit," being a chimnea, patio warmer, or other portable wood burning device used for outdoor recreation and/or heating shall be at least 15 feet from any neighboring structure.** (Res. 85-17-, adopted 12-19-85, Res. 09-149 adopted 05-21-09.)

### §93.0185 RECREATION FIRES

**Recreation fires, being fires used to entertain or cook, may burn sticks, limbs, logs, charcoal, cooking, or camping fuel only. Recreation fires may not exceed an area dimension of six feet by six feet. In conformance with §93.017 above Waste Materials including but not limited to; garbage, trash, refuse, lumber, building materials, or tires shall not be burned in recreation fires.**

### §93.019 FIRES TO BE ATTENDED.

All fires shall be constantly attended by a competent person until such fire is extinguished. This person shall have a hose connected to a water supply or other fire

extinguishing equipment ready for use. This person shall be responsible for notifying the local fire department before starting the fire. (Res. 85-179, adopted 12-19-85).

#### §93.020 EXCEPTIONS

Section 93.017 does not apply to the burning of leaves, branches, or bushes originating on owner's property. Section 93.017 also does not apply to controlled burns for agricultural purposes, habitat reclamation, firefighter training. (Res. \_\_\_\_ adopted \_\_\_\_)

#### §93.21 NEIGHBORING STRUCTURE

**Neighboring structure means any and all buildings of adjacent land owner(s), whether structured on a foundation or mobile, including but not limited to houses, garages, sheds, pole barns. ~~This section shall not apply to structures located on the owner's sole property.~~**

#### §93.022 Waste Material.

**Waste Material means all substances liquid, semi-solid or solid other than, dry grass, leaves, sticks, logs, branches and bushes originating on the owners property, charcoal and cooking or camping fuel.**

#### §93.023 ENFORCEMENT.

The Sheriff's Office of the county and other applicable enforcement departments shall enforce this subchapter. (Res. \_\_\_\_ adopted \_\_\_\_)

#### §93.999 PENALTIES.

Any person found to be in violation of any part of this subchapter shall be fined \$50.00 for the first offense, \$150 for the second offense and \$500 for the third and subsequent offenses, plus court costs. (Res. \_\_\_\_ adopted \_\_\_\_).