

PROPOSED PUBLIC HEALTH ORDINANCE CHANGES

Board of Health Meeting August 22, 2016

Overall Changes

- ▶ Update language to reflect current programming, responsibilities, processes and fines
- ▶ Repeal Article of Definitions - relevant definitions are included in each Article
- ▶ Reformat the different Articles for consistency
- ▶ Renumber the Articles to eliminate confusion due to gaps from repealed Articles
- ▶ Separate the local requirements from the minimum requirements of Illinois Department of Public Health (Food and Water)

General Provisions - Article I

- ▶ Provides the general authority and enforcement provisions for the Department.
- ▶ Last updated: 1974
- ▶ Changes:
 - ▶ Add section regarding powers and duties of the Department
 - ▶ Public Health Administrator to respond to appeal in 10 days
 - ▶ Add process to request a variance
 - ▶ Remove Board of Health Hearing Committee from the appeal process
- ▶ Reason: Current language, requirements outdated. Streamline the appeal process since Board of Health ultimately hears all appeals.

Public Health Nuisances - Article II

- ▶ Provides the authority to address general, public health based nuisances
- ▶ Last updated: 2007 (open burning)
- ▶ Update - purpose statement, list of noxious weeds, notification process, oversight committee for open burning
- ▶ Remove violations covered in other Articles, or enforced by other agencies
- ▶ Limit insect and vermin responses to those that transmit disease
- ▶ Add requirement for potable water supply to mirror sewage disposal requirement
- ▶ Add violation for unregistered Tanning and Body Art facilities
- ▶ Building responses limited to issues of public health concern

- ▶ Reason: Authority is limited to nuisances of public health significance, eliminate duplication of requirements, address current gap in ability to resolve tanning, body art and potable water issues

Food Protection - Article III

- ▶ Provides requirements to provide food to the public at the retail level in McHenry County
- ▶ Last updated: 2009

- ▶ Remove minor, historical local additions to Ordinance
- ▶ Remove any requirements/references to public seating requiring public restrooms - covered under the Illinois Plumbing Code

- ▶ Reason: Local requirements easily discernible. Plumbing Code addresses all seating/use/fixture requirements.

Wastewater & Sewage Treatment and Disposal - Article IV

- ▶ Provides the requirements for onsite wastewater treatment systems in McHenry County.
- ▶ Last updated: 2007
- ▶ Add the required sections to meet the minimum state standards: water softener backwash, maintenance of systems installed after Jan. 1, 2014, alarm/electrical requirements, portable toilet maintenance
- ▶ Streamline the appeal process for consistency with Article I
- ▶ Portable toilets - remove sections duplicated in IDPH code,
- ▶ Portable toilets - remove local restrictions, will rely on decision of local plumbing authority
- ▶ Reason: Changes required to meet minimum state requirements; provide consistency in the Public Health Ordinance; allow plumbing authority to determine appropriateness of portable toilets -regulation focused on sanitation, maintenance

Private, Semi-Private, Closed Loop and Non-Community Water Supplies - Article V

- ▶ Provides the requirements related to water supplies other than community water supplies
- ▶ Last updated: 1990
- ▶ Move existing, relevant definitions from current Article II
- ▶ Update “health authority” language to be consistent with other Articles
- ▶ Minor additions to the application requirements to meet minimum state code requirements
- ▶ Reason: Changes required to meet minimum state requirements, local requirements are easily discernible.

Animal Control- Article VI

- ▶ Last updated: 2007
- ▶ Deleted obsolete definitions, terminology and items that were overlapping or repetitive
- ▶ Corrected spelling and grammar; Clarified definitions
- ▶ Removed items governed by state law rather than local ordinance
- ▶ Adopted the state statute for dangerous dog appeal section
- ▶ Modified fee references to point to the new PH Fee Ordinance which will be separately maintained

Animal Control- Article VI

- ▶ Clarified that an animal on its owner's property is not running at large
- ▶ Added fine for dogs deemed dangerous or vicious Running at Large
- ▶ Added fine for noncompliance of Vaccination & Registration for dogs deemed dangerous or vicious
- ▶ Added fine for failure to comply with rabies initial observation or release to the section
- ▶ Revised the Feral Cat Colony requirements based on committee discussion