



Lake County Illinois

Master

File Number: 08-0833

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Type: Resolution

Status: Joint Committee

Version: 1

Reference:

Controlling Body: Health & Community Services Committee

File Created Date : 10/27/2008

File Name: Board of Health Ordinance Article XIII Amendment

Final Action:

Title: Amendment to the Lake County Board of Health Ordinance Article XIII (Fees Schedule).

Notes:

Sponsors:

Agenda Date:

Attachments: BOH Article XIII w/ Proposed Changes

Enactment Number:

Authorizer:

Hearing Date:

Entered by: AMoreno@lakecountyil.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Health & Community Services Committee	11/11/2008	Approved and referred on to Financial and Administrative Committee				Pass
	Action Text:	A motion was made by Member Cunningham, seconded by Member Spielman, that this Resolution be Approved and referred on to Financial and Administrative Committee. The motion carried by the following vote: The motion carried by the following vote:					
	Notes:	<i>Presented by Tony Smithson. Discussion followed.</i>					
1	Financial and Administrative Committee	11/12/2008	Recommended for adoption to the Regular Agenda				Pass
	Action Text:	A motion was made by Member Mountsier, seconded by Member Stolman, that this Resolution be Recommended for adoption to the Regular Agenda. The motion carried by the following vote:					
	Notes:	<i>Irene Pierce & Tony Smithson explained this Resolution.</i>					
1	Lake County Board	11/18/2008					

Text of Legislative File 08-0833

Title

Amendment to the Lake County Board of Health Ordinance Article XIII (Fees Schedule).

Body

WHEREAS, the Lake County Health Department is authorized to enforce local ordinances regulating Food Service Facilities, non-community water systems, and individual sewage disposal system professionals to protect the public's health; and

WHEREAS, the ordinances that authorize this enforcement, Lake County Board of Health Ordinances Article III (*Regulation of Food Service Facilities*), Article XV (*Regulation of Wells, Private, Semiprivate, and Non-community Water Supplies*) and Article V (*Regulation of Individual Sewage Disposal Systems and Registration and/or Licensing of Individual sewage Disposal System Professionals*) also authorize the Lake County Health Department to assess and collect fees for permits and/or licenses described in these ordinances; and

WHEREAS, these fees are established in Lake County Board of Health Ordinance Article XIII (Fees Schedule); and

WHEREAS, the Lake County Health Department has proposed amendments to Lake County Board of Health Ordinance Article XIII related to the assessment of late fees for annually renewed permits and licenses; and

WHEREAS, the Lake County Board of Health has approved the proposed amendments to Lake County Board of Health Ordinance Article XIII; and

WHEREAS, the Lake County Board of Health has recommended that the proposed amendments to Lake County Board of Health Ordinance Article XIII be referred to the County Board for approval; and

NOW, THEREFORE, BE IT RESOLVED, by this County Board of Lake County, Illinois that the amendments to Lake County Board of Health Ordinance Article XIII herewith be approved and made a matter of Lake County law.

BE IT FURTHER RESOLVED, that the Lake County Clerk is hereby authorized to distribute certified copies of the amended Ordinance to the County Administrator, Comptroller, and the Executive Director of the Lake County Health Department.

DATED, at Waukegan, Lake County, Illinois on this 18th day of November, A.D., 2008.

Staff Summary

- Certain Lake County Board of Health Ordinances establish requirements for permits or licenses that must be renewed on an annual basis.
- Most annual permits and licenses must be renewed by January 1st (June 1st for vending machines), and Lake County Board of Health Ordinance Article XIII (Environmental Health Fees) applies late fees to annually renewed permits or licenses not paid when due as follows:
 - **25% after February 15** (July 15 for Vending Machine Permits)
 - **50% after March 15** (August 15 for Vending Machine Permits)
 - **100% after April 15** (September 15 for Vending Machine Permits)

- This provision of “payment options” extending 3 ½ months beyond the permit/license renewal deadline establishes a circumstance that is directly contrary to the provisions of those Ordinances establishing the permit/license requirement. Lake County Board of Health Ordinance Article III (“Regulation of Food Service Facilities”), for instance, establishes that operating a restaurant without a valid permit is an imminent health hazard. Some restaurants, however, will operate each year without a valid permit for longer than 4 months before enforcement action is clearly authorized by these conflicting provisions.
- This revision to Article XIII proposes to delete the sections establishing 50% and 100% late fees, and shifts the 25% late fee to a date 30 days beyond the established renewal deadline (February 1st for all permits/licenses except vending machines which is proposed for July 1st). Retaining a 30 day grace period provides a reasonable accommodation for permittee/licensee oversights, but removes the implicit suggestion that permits/licenses need not be renewed until several months beyond the deadline have passed.
- This revision may result in a modest loss of revenue (< \$3,000) according to estimates.

LAKE COUNTY BOARD OF HEALTH ORDINANCE
 ARTICLE XIII
 ENVIRONMENTAL HEALTH SERVICES FEES SCHEDULE

All fees will be increased annually based on the Lake County Consumer Price Index.

Any fee in this ordinance may be waived or reduced by the Health Officer based on hardship, for public health reasons, or to commemorate public health awareness events/celebrations.

Fee for Board of Health Article VI Hearings
 ISD, Food, Well and Nuisance Violation Appeals \$278
The Board of Health Hearings Committee may waive the fee based on hardship.

Fee for requested and/or required inspections of facilities where no fee is specified by this Ordinance. \$229
 Examples include, but are not limited to: massage therapy facilities, tattoo parlors, medical facilities or recreational facilities.

Late Fees for Food Service, Retail Food, or Non-Community Permits and
 Annual Licenses for ISD Contractor, Designer, Pumper or Soil Scientist

A twenty-five percent (25%) late fee will be charged to the above listed permit/license holders who do not pay their annual fee by ~~February 15~~ **February 1**.

~~A fifty percent (50%) late fee will be charged to the above listed permit/license holders who do not pay their annual fee by March 15.~~

~~A one-hundred percent (100%) late fee will be charged to the above listed permit/license holders who do not pay their annual fee by April 15.~~

Permit Fees for Food Service Establishments

Type I Facilities

Beverage Only or Prepackaged (Includes Bars with Pizza Ovens, etc.)	\$159
Milk/Satellite Schools	\$95
Retail Only <1,000 Square Feet	\$222
Retail Only >1,000 Square Feet	\$351
Catering Trucks/Mobile Units/Foodservice	\$254
Retail/Food Service Combined	\$446
For Profit Temporary Foodservice Event	\$20
For Profit Temporary Season*	\$75

Type II Facilities

Restaurant with Seating/Carry-Out/Mobile Unit	\$382
School/Daycare/Institution	\$254
Retail Only	\$382
Retail/Food Service Combined	\$541
For Profit Temporary Foodservice Event with Certified Manager or Trained Operator**	\$40
For Profit Temporary Foodservice Event without Certified Manager or Trained Operator	\$75
For Profit Temporary Season* **	\$125

Type III Facilities

Restaurant with Seating/Carry-Out	\$564
School/Daycare with Full Kitchen/Institutions	\$319
Retail/Food Service Combined <5,000 Square Feet	\$637
Retail/Food Service Combined >5,000 Square Feet	\$1,018
For Profit Temporary Foodservice Event with Certified Manager or Trained Operator**	\$60
For Profit Temporary Foodservice Event without Certified Manager or Trained Operator	\$125

* *Temporary Season Fee allows a vendor submit applications for multiple events during the calendar year, provided the full fee is paid with the first application.*

** *Permit holder has an operator present at the event who has successfully completed an Illinois Department of Public Health certified manager's course or has attended a Lake County Health Department or City of Chicago temporary event training course within one year of the event.*

LAKE COUNTY BOARD OF HEALTH ORDINANCE
 ARTICLE XIII
 ENVIRONMENTAL HEALTH SERVICES FEES SCHEDULE

Seasonal Facilities (Open six (6) months or less) All Seasonal Facility Types	\$222
<i>New food service and retail food permits opening July 1 or later, will be assessed 50% of the appropriate fee.</i>	
Temporary Event Permit Late Fee	\$29
<i>A late fee will be charged when a For Profit Vendor has not applied and paid for a permit a minimum of seven (7) days prior to the event.</i>	
Re-Inspection Fee	\$229
<i>For a required second and subsequent re-inspection(s) of critical items in food establishments following a routine inspection.</i>	
Opening Inspection Fee	\$142
<i>For a change of owner/operator inspection at a food establishment when a plan review is not required.</i>	
Plan Review Fee (Major)	\$954
Plan Review (Minor)	\$380
Priority Plan Review (Completed in three (3) days - in addition to applicable fee)	\$954
Consultation Fee for Potential Change of Ownership for Food Service Establishments and/or Retail Food Stores	\$638
<i>Plan Review and/or Consultation fees shall be submitted prior to any review or study by staff.</i>	
Certified Food Service Sanitation Manager 5-Hour Refresher Course Registration	\$58

Fees for Food and Beverage Vending Machine Permits

Annual Permit Fees	
1 or 2 machines at the same Account Location	\$30
3-5 machines at the same Account Location	\$52
6-10 machines at the same Account Location	\$81
11-15 machines at the same Account Location	\$96
16-20 machines at the same Account Location	\$125
21-24 machines at the same Account Location	\$150
25 or more machines at the same Account Location	\$177

Account Location means the total number of food and beverage vending machines owned and serviced by a company that are at one location at a particular entity.

- Example A: Account Location is a building with one address, 150 Lake Rd.
The building is one account entity with vending machines in 4 locations,
2 machines per location, totaling 8 machines. \$81*
- Example B: Account Location is 4 separate buildings, but all with same address,
200 Lake Rd., Bldg A, Bldg B, etc. All 4 building are the same account
entity and within each building there are 3 vending location. A single
location has 4 machines and 2 locations have 2 machines each, totaling
8 machines per building. Account Location has 32 total. \$177*

LAKE COUNTY BOARD OF HEALTH ORDINANCE
 ARTICLE XIII
 ENVIRONMENTAL HEALTH SERVICES FEES SCHEDULE

Late Fees for Vending Machine Permits

A twenty-five percent (25%) late fee will be charged to Vending Machine Permit holders who do not pay their annual fee by ~~July 15~~ **July 1**.

~~A fifty percent (50%) late fee will be charged to Vending Machine Permit holders who do not pay their annual fee by August 15.~~

~~A one-hundred percent (100%) late fee will be charged to Vending Machine Permit holders who do not pay their annual fee by September 15.~~

Fees for Individual Sewage Disposal (ISD) Services

Plan Review	\$505
Plan Review with a proposed water well on-site	\$556
Repair Plan Review	\$98
Variance Request	\$226
ISD Resubmittal	\$66
Construction Permit	\$98

Non-Conforming Systems

Conference	\$262
Plan Review (based on projected daily flow - maximum fee of \$2500)	\$1/gpd
Site Drainage Monitoring	\$526
Priority Plan Review (Completed in 3 days-in addition to appropriate review fee)	\$460

Soil Identification and Subdivision Review

Soil Identification	\$158
Soil Identification/Commercial, Subdivision (per pit)	\$52
Soil Evaluation Review/Filing Fee	\$38
New Subdivision Review <20 lots (per lot)	\$262
Additional Lots (per lot)	\$131
Subdivision Review Resubmittal (per lot)	\$33

Contingency Systems

Type V System (after monitoring), Alternating LPP, Surface Discharge, Experimental Systems,	\$657
Temporary Holding Tank (without ISD approval)	
Holding Tank Agreement (with ISD approval)	\$131

ISD System Maintenance Fees

Aerobic Unit (annual filing fee)	\$38
Surface Discharging System (annual filing fee/site visits)	\$197
Holding Tank (annual fee)	\$262
Contingency System (annual filing fee)	\$38

ISD Contractors, Pumpers, Designers and Soil Scientists

Annual License for ISD System Contractor, Designer, Pumper or Soil Scientist	\$131
ISD Contractor or Designer Examination	\$38
Sludge Disposal Sites	\$657

Fees for Water Well Services

Water Well Construction or Water Water Well Construction/Sealing Permit	\$100
New Water Well Installation/Inspection Fee (must be submitted with Construction Permit fee)	\$103
Permit to Seal a Well	\$85
Variance Request (for new construction or alterations to properties with existing water wells)	\$226
Collection of sample(s) from new wells	\$48
Closed Loop Well System Review and Inspection	\$300
Variance Request (excludes replacement water wells where setback distances cannot be met)	\$220
Penalty fee for constructing, deepening or sealing a water well or for prior to receiving Lake County Health Department approval, or for constructing a closed loop well system without providing prior notification to the Lake County Health Department.	\$222

Fees for Non-Community Water Supplies

Annual Permit	\$132
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LAKE COUNTY BOARD OF HEALTH ORDINANCE
 ARTICLE XIII
 ENVIRONMENTAL HEALTH SERVICES FEES SCHEDULE

Fees for Well and ISD Evaluations for Property Resale

Well & ISD Evaluation	\$229
Well Only Evaluation	\$172
ISD Only Evaluation	\$172
Priority Fee (Completed in 3 days - in addition to appropriate evaluation fee)	\$172

Fees for Property Alterations

Property Alteration Office Review (No site visit required)	\$38
Property Alteration Field Review (Site visit required)	\$98
Increase Water Use/Increase Sq. Footage/Commercial <600 gpd	\$262
Increase Water Use/Increase Sq. Footage/Commercial >600 gpd	\$591

Fees for Processing and Recording Documents (When required by LCHD)

Fee for Recording Certificate of Septic Field Restrictions, Land Covenant or Water Well Variance Approval Letter	\$41
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Fees for Water Analysis

Fluoride Analysis	\$10
Bacteriological Analysis	\$15
Pick-up of sample(s) at central location	\$18
Collection of sample from the premises (per each visit)	\$48

These fees are not applied when a communicable disease is suspected or when the sample is requested by the Health Department for other public health reasons.

Other types of analysis available:

Alkalinity	\$8	MTF Technique (bacteriology)	\$25
Ammonia	\$12	Nitrate (analytical)	\$11
Arsenic	\$25	Nitrite	\$11
Biochemical Oxygen Demand (BOD)	\$19	Ortho-Phosphate	\$14
Boron	\$15	pH	\$8
Cadmium	\$21	Sulfate	\$15
Chemical Oxygen Demand (COD)	\$16	Total Dissolved Solids	\$14
Chloride	\$11	Total Iron	\$15
Chromium	\$21	Total Kjeldahl Nitrogen (TKN)	\$21
Copper	\$15	Total Phosphorus	\$15
Hardness	\$11	Total Solids	\$14
Lead (drinking water)	\$21	Total Suspended Solids	\$14
Lead (non-drinking water)	\$15	Volatile Solids	\$11
Manganese	\$15	Zinc	\$15

The Environmental Health Services Director may discount laboratory fees for large volumes of analytical work scheduled in advance.

Amended Dec 1, 2007