

Adopted April 11, 1988

**LASALLE COUNTY HEALTH ORDINANCE
ARTICLE IV PUBLIC NUISANCES**

DEFINITIONS

1. Extermination shall mean the control and elimination of insects, rodents, or other pests by eliminating their harborage places, by removing or making inaccessible materials that may serve as their food, by poisoning, spraying, trapping or by any other recognized and legal method of pest elimination approved by the Health Officer
2. Garbage shall mean organic waste resulting from the preparation, processing, handling and storage of food and all decayed or spoiled food from any source whatsoever
3. Infestation shall mean the presence within a dwelling of any insects, rodents or other pests
4. Junk Vehicle shall mean any motor vehicle from which for a period of at least thirty (30) days, the engine, wheels or other parts have been removed, or on which the engine, wheels or other parts have been altered, damaged or otherwise so treated that the vehicle is incapable of being driven under its own power this definition shall not include a motor vehicle which has been rendered temporarily incapable of being driven under its own motor power in order to perform within a building when not in use, or to any motor vehicle on the premises of a place of business engaged in the wrecking or junking of motor vehicles provided that said premises is properly zoned and/or licensed
5. Manure shall mean stable bedding and excrement of all domestic animals and fowl
6. Refuse shall mean all putrescible and nonputrescible solids (except body wastes) including garbage, rubbish, ashes, and dead animals
7. Rodents shall mean rats and mice
8. Rubbish shall mean combustible and non-combustible waste materials, except garbage; this term shall include such items as paper boxes, cans, crockery, demolition materials, metals, etc
9. Solid Waste shall mean refuse
10. Unsatisfactory Building or Structure shall mean any building, structure or portion thereof which, because of its condition, infestation by insects, rodents, or other vermin or lack of repair and maintenance may aid in the spread of communicable disease or injury to the public
11. Vector shall mean an insect or other form of animal life that may transfer disease producing organisms to man
12. Vermin shall mean roaches, bedbugs, fleas, lice or other similar pest-like insects

SECTION A, GOAL:

The goal of this Ordinance is to preserve the safety, comfort, and well-being of the residents of LaSalle County as well as to minimize the risk of transmission of communicable disease that may be associated with a declared nuisance condition.

SECTION B, SCOPE:

The Board of Health is hereby authorized and empowered to inspect pursuant to the Administrative inspection provisions of this Ordinance all buildings, lands, and places as to their condition affecting health and sanitation and whenever any declared nuisance or condition prejudicial to the public health is found to exist, the Board of Health shall have the power and authority as provided for in Chapter 34, Section 419 of the Illinois Revised Statutes and

as referenced in Chapter 111?, Section 20c 8 of the same Illinois Revised Statutes, to order the owner, occupant, or agent thereof to make such alterations or changes if necessary to correct and remove said nuisance, or condition prejudicial to public health or to take action under the penalty clause of this LaSalle County Health Ordinance.

Failure of a party to take corrective action shall empower the Health Officer to petition the Circuit Court to issue an appropriate order.

Pursuant to Chapter 100?, Section 26 of the Illinois Revised Statutes, provisions of this Article shall only apply outside the corporate limits of any city, village or incorporated town.

SECTION C, PUBLIC NUISANCES:

The following are declared to be public nuisances prejudicial to public health but are not inclusive of all conditions or acts that may give rise to the creation or continued existence of a nuisance condition.

1. To allow the carcass of any animal or any offal, filth or noisome substance to be collected, deposited or to remain in any place, to the prejudice of others.
2. To throw or deposit any offal or other offensive matter, or the carcass of any dead animal, in any water course, lake, pond, spring, well or common sewer, street, or public highway.
3. To corrupt or render unwholesome or impure the water of any spring, river, stream, pond, or lake, to the injury or prejudice of others.
4. Accumulations of manure, rubbish, garbage, or refuse except the normal storage on a property for agricultural purposes.
5. To allow an abandoned refrigerator, stove, washer or any household appliance to remain on any premises that does not have the doors locked and/or latches removed.
6. Privy, vaults, or garbage receptacles which are offensive and which are not fly tight, vermin and rodent proof, and secure against damage by animals.
7. To maintain or permit the existence of any dangerous or unsanitary building or structure.
8. The burning of garbage out of doors in the county except in a device approved by the State of Illinois, Pollution Control Board. This does not include paper or paper products.
9. The accumulation of junk vehicles and /or salvageable materials on any premises improved or vacant, or in any open lot or roadway in the County. All declared junk vehicles may be removed, by any law enforcement agency, with jurisdiction to act, after seven (7) days from the issuance from the County, through the Health Department, of a notice directed to the person or persons in control of said junk vehicle, to remove said junk vehicle or parts thereof within said seven (7) days.
10. All other uses and conditions of property which due to their existence create an environment deemed by the Health Officer to be prejudicial to public health.

SECTION D, NOTICES:

Whenever a nuisance condition is found to exist within the County, the Health Officer shall give written notice to the owner or occupant of the property upon which said nuisance condition exists or upon the person causing or maintaining the nuisance.

1. Contents. The notice to abate a nuisance issued under the provision of this section shall contain:
 - a. An order to abate nuisance or to request a prehearing conference within a stated time, which shall be reasonable under the circumstances.
 - b. The location of the nuisance if the same is stationary.

- c. A description of what constitutes the nuisance condition.
- d. A statement of acts necessary to abate the nuisance.
- e. A statement that if the nuisance is not abated as directed and no request for hearing is made within a prescribed time, the Health Officer may seek legal action through the Circuit Court.