

---

**TABLE OF CONTENTS**

**PREAMBLE**..... iii

**SECTION 1. PURPOSE**..... 1-1

**SECTION 2. DEFINITIONS** ..... 2-1

**2.1 Rules of Construction and Interpretation** ..... 2-1

**2.2 Terms Defined** ..... 2-1

**SECTION 3. DECLARATION OF PUBLIC NUISANCE**..... 3-1

**3.1 Public Nuisance Prohibited**..... 3-1

**3.2 Activities and Conditions Constituting Public Nuisances**..... 3-1

**3.3 Activities and Conditions Not Constituting Public Nuisances**..... 3-3

**SECTION 4. ADMINISTRATION AND ENFORCEMENT**..... 4-1

**4.1 County Officials - Powers and Duties** ..... 4-1

**4.2 Complaints and Inspections**..... 4-3

**4.3 Notice**..... 4-4

**4.4 Abatement of Nuisances** ..... 4-5

**4.5 Stay of Proceedings**..... 4-6

**SECTION 5. APPEALS**..... 5-1

**5.1 Filing Appeals**..... 5-1

**5.2 Appeal Hearings**..... 5-1

**5.3 Decisions on Appeals**..... 5-2

**SECTION 6. VIOLATIONS AND PENALTIES**..... 6-1

**6.1 Violations** ..... 6-1

**6.2 Settlement of Violations**..... 6-1

**6.3 Minimum Fine for Certain Violations**..... 6-2

**6.4 Other Penalties**..... 6-2

**6.5 Injunctions and Judgements for Abatement by County**..... 6-2

**6.6 Remedies Cumulative**..... 6-3

<b>SECTION 7. SEVERABILITY, PUBLICATION AND EFFECTIVE DATE</b> .....	7-1
<b>7.1 Severability</b> .....	7-1
<b>7.2 Publication</b> .....	7-1
<b>7.3 Effective Date</b> .....	7-1
<b>APPENDIX A - CHAMPAIGN COUNTY ZONING ORDINANCE</b> .....	A-1
<b>Section 4.3.3E Visibility</b> .....	A-1
<b>APPENDIX B - CHAMPAIGN COUNTY ZONING ORDINANCE</b> .....	B-1
<b>Section 4.3.3G Screen</b> .....	B-1
<b>APPENDIX C - A RESOLUTION PERTAINING TO THE RIGHT TO FARM IN     CHAMPAIGN COUNTY</b> .....	C-1
<b>APPENDIX D – MAP OF PROHIBITED BURN AREA</b> .....	D-1
<b>APPENDIX E – AMENDMENTS</b> .....	E-1

***PREAMBLE***

**ORDINANCE NO. 468**

WHEREAS, the Champaign County Board has determined that certain actions or conditions arise from time to time in the unincorporated area of the County which are dangerous to the public health and safety or serve to obstruct public use of public property; and

WHEREAS, the *Illinois Criminal Jurisprudence Act (Health and Safety - Public Nuisance)* 740 ILCS 55/221, confers upon the County the authority to declare what shall be public nuisances and to abate them within the area lying outside the corporate limits of any city, village or incorporated town; and

WHEREAS, on November 18, 1980 the Champaign County Board adopted Ordinance No. 135, *The Public Land - Nuisance Ordinance of Champaign County, Illinois*; and

WHEREAS, the Champaign County Board has determined that Ordinance No. 135 is overbroad in certain respects and contains deficiencies that hamper its effective administration and enforcement and so does not appropriately or adequately protect the public health, safety and welfare of the people of Champaign County:

NOW, THEREFORE BE IT ORDAINED by the County Board of the County of Champaign, Illinois as follows:

1. That Ordinance No. 135 be repealed in its entirety; and
2. That the following be adopted as the Public Nuisance Ordinance of Champaign County, Illinois:



***SECTION 1. PURPOSE***

This ordinance is intended for, and the terms and provisions herein shall be liberally construed so as to further, the purpose of protecting the public, health, safety and welfare and securing public use of public property and public right-of-way by preventing:

- A. the spread of disease;
- B. the propagation of vermin and disease vectors;
- C. the occurrence of property and casualty losses due to accident, fire, structural failure or release of toxic materials including wastes;
- D. explosion, fire or conflagration;
- E. the partial or complete structural failure of buildings and other structures;
- F. injury or death due to inadequate and unsafe building egress;
- G. injury or death due to asphyxiation caused by the lack of safe and adequate space heating;
- H. sickness, injury or death due to inadequate building maintenance;
- I. the use for illegal purposes of abandoned or unoccupied structures particularly by minors;
- J. continuation or spread of visual blight;
- K. pollution of surface water or ground water;
- L. contamination of drinking water supplies;
- M. sickness, injury or death due to inadequate sanitation;
- N. the occurrence of vehicular accidents on public and private roads;
- O. the destruction or diminution of the peace or repose of residential neighborhoods;  
and
- P. interference with the conduct of agriculture throughout the County [ Appendix C].
- Q. interference with the operation of any significant drainage facility or any stormwater detention facility.



## **SECTION 2. DEFINITIONS**

### **2.1 Rules of Construction and Interpretation**

- A. Unless otherwise expressly stated, the words defined in Section 2.2 shall, for the purpose of this ordinance, have the meaning therein indicated. Any pertinent word or term not listed but vital to the interpretation of this ordinance, shall have its usual definition.
- B. For the purpose of easy reference, all words or terms which are defined in Section 2.2 are capitalized wherever they occur.
- C. The following rules of construction shall determine interpretation and application of the provisions herein:
  - 1. the present tense includes the future tense.
  - 2. the masculine gender includes the feminine and the neuter.
  - 3. the singular number includes the plural, and vice versa.
  - 4. the word "shall" is always mandatory; the word "may" is always permissive.
- D. This Ordinance is intended to supplement provisions of the Champaign County Zoning Ordinance and shall be construed in a manner consistent with the Zoning Ordinance.

### **2.2 Terms Defined**

**ABANDONED SIGN STRUCTURES:** A freestanding structure which is not accessory to a lawful use or structure on the same lot and which constitutes a sign or is manifestly designed to support a sign which carries no identifying or advertising message or which identifies or advertises a product, place, activity, person, institution or business which has not been active, in operation or available for a period of 180 consecutive days except for lawful off-premises advertising signs which have been actively offered for sale or rent throughout such 180 day period.

**SECTION 2.2 TERMS DEFINED - CONTINUED**

**AGRICULTURAL WASTE:** Any refuse that is generated on a farm or ranch by crop or livestock production practices including such items as bags, cartons, dry bedding, structural materials, and crop residues but excluding LANDSCAPE WASTE, offal, dead animals, and MANURE. Refuse generated by a farm family as a result of domiciliary activities is domicile waste.

**DANGEROUS STRUCTURE:** A building or other structure which meets any of the following descriptions:

**TYPE 1:** A building or other structure which has been abandoned, vacant or unused for a period of 180 consecutive days and which is open to intrusion; or

**TYPE 2:** A building or other structure which is subject to imminent danger of structural failure or collapse; or

**TYPE 3:** A building or other structure which, due to damage or deterioration, creates a hazard of fire, explosion or release of toxic materials; or

**TYPE 4:** A building or other structure which is damaged or deteriorated or improperly maintained or operated so as not to provide shelter or serve the purpose for which it was constructed in a safe and healthful manner.

**TYPE 5:** A building or other structure principally intended for human occupancy which is damaged or deteriorated or improperly maintained or operated so as not to provide shelter or serve the purpose for which it was constructed in a safe and healthful manner and which continues to be occupied.

**DEBRIS:** Junk, litter, construction or demolition waste, ashes or cinders, products or goods damaged so as to have little or no value or similar material.

**DOMESTIC ANIMAL:** Any animal of any species kept for any purpose, except those kept or raised for the purpose of producing an agricultural product; including but not limited to dogs, cats, primates, and birds.

**DWELLING UNIT:** One or more rooms constituting all or part of a building or manufactured home which are used exclusively as living quarters for one family.

**FARM VEHICLE:** Any vehicle manifestly designed and intended as an agricultural implement and not licensable for operation on a public street.



**SECTION 2.2 TERMS DEFINED - CONTINUED**

**FOOD AND FOOD PRODUCT GARBAGE:** Non-paper refuse resulting from the handling, processing, preparation, cooking, and consumption of food or food products.

**FULLY ENCLOSED BUILDING:** A building which serves to protect the contents from the elements, completely screen the contents from view and prevent unauthorized entry.

**GARBAGE:** Trash, refuse, offal, putrescible waste, animal carcasses, or material which is subject to decomposition, decay or biological degradation or which serves to attract or propagate vermin or disease vectors except for properly managed vegetal compost.

**IEPA:** The Illinois Environmental Protection Agency.

**INOPERABLE VEHICLE:** Any vehicle, FARM VEHICLE, or equipment which due to its physical condition is incapable of being used for its intended purpose or of moving under its own power or of being towed in a lawful manner; or any vehicle which cannot be operated in a usual or customary manner due to the lack of a current valid vehicle license or registration.

**LANDSCAPE WASTE:** Any vegetable or plant refuse except FOOD AND FOOD PRODUCT GARBAGE and AGRICULTURE WASTE. The term includes trees, tree trimmings, branches, stumps, brush, weeds, leaves, grass, shrubbery trimmings, and yard trimmings.

**LANDSCAPE WASTE COLLECTION ALTERNATIVE:** Any alternative for the removal of LANDSCAPE WASTE from properties within a PROHIBITED BURN AREA other than that of an individual owner paying a fee to drop off LANDSCAPE WASTE at the Landscape Recycling Center located as 1210 East University Avenue, Urbana, or paying a service provider or contractor to collect the LANDSCAPE WASTE from the property on which the LANDSCAPE WASTE was generated. The service provider must submit a written letter to the Chair of the Environment and Land Use Committee stating that such a LANDSCAPE WASTE COLLECTION ALTERNATIVE is available.

**LANDSCAPE WASTE, WOODY:** LANDSCAPE WASTE that is limited to trees, tree trimmings, branches, stumps, and shrubbery branches and stems. WOOD LANDSCAPE WASTE shall not include any leaves.

**MANURE:** The fecal and urinary defecations of livestock and poultry. MANURE often contains some spilled feed, bedding, or litter but is predominately MANURE.

**SECTION 2.2 TERMS DEFINED – CONTINUED**

**OPEN BURNING:** The combustion of any matter in such a way that the products of the combustion are emitted to the open air without originating in or passing through equipment for which a permit could be issued by the Illinois Environmental Protection Agency.

**OWNER OF RECORD:** Any PERSON or PERSONS designated to receive property tax bills for a given premises in the records of the Champaign County Supervisor of Assessments whether or not the actual owner of the real estate comprising the premises.

**PERSON:** Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate or other legal entity or their agent, legal representative or assigns.

**PROHIBITED BURN AREA:** The unincorporated area extending 1,000 feet beyond the boundaries of the City of Champaign and the City of Urbana including the entirety of any residential subdivision and/or residential subdivision phase that intersects the 1,000-foot distance and all areas completely surrounded by the City of Champaign and/or the City of Urbana and/or all areas completely surrounded by the 1,000 feet PROHIBITED BURN AREA around the City of Champaign and/or the City of Urbana. See the map of the PROHIBITED BURN AREA in Appendix D.

**RESPONSIBLE PERSON:** Any PERSON known or suspected of acting or failing to act in a manner proscribed in Section 3.1 including, but not limited to, the owner, OWNER OF RECORD, tenant, occupant or PERSON in possession of any premises on which a public nuisance exists.

**ROOSTER:** the male of the species *Gallus gallus domesticus* or chicken.

**WORKING DAY:** Any day on which the Champaign County Department of Planning and Zoning is open for business for a full eight and one-half hours.

### **SECTION 3. DECLARATION OF PUBLIC NUISANCE**

#### **3.1 Public Nuisance Prohibited**

- A. The activities or conditions described in Section 3.2 are declared to be public nuisances and are expressly and absolutely prohibited when they exist upon public or private property or public right-of-ways located in the unincorporated areas of Champaign County, Illinois except in those instances where expressly permitted under the provisions of the Champaign County Zoning Ordinance or state law or exempted herein:
- B. The activities and conditions listed in Section 3.3 are declared not to be public nuisances and are exempt from the prohibitions described herein when they meet all conditions, limitations or provisos established therein.
- C. No person shall engage in the activities or create or continue the conditions described in Section 3.2 upon public or private property or public right-of-way.
- D. No person shall allow others to engage in the activities or create or continue the conditions described in Section 3.2 on premises which they own, possess or control.
- E. No person shall allow their personal property to be used for the activities or to create or continue the conditions described in Section 3.2.
- F. No person shall require or allow their agents or employees as part of their employment, to engage in the activities or to create or continue the conditions, described in Section 3.2.

#### **3.2 Activities and Conditions Constituting Public Nuisances**

- A. Deposition, accumulation, maintenance or disposal other than in properly permitted and/or licensed facilities of:
  - 1. GARBAGE or DEBRIS;
  - 2. sewage, septage or animal waste; or
  - 3. yardwaste, brush or cut timber.

**SECTION 3.2 ACTIVITIES AND CONDITIONS CONSTITUTING PUBLIC NUISANCES - CONTINUED**

- B. Storage outside of a FULLY ENCLOSED BUILDING of:
  - 1. building materials, recyclable materials, equipment, fire wood (except in reasonable quantities for domestic use on-site) packaging materials and similar items;
  - 2. INOPERABLE VEHICLES and equipment or parts thereof except as provided in Section 3.3.
  
- C. Open, unfenced excavations more than four feet deep except as customarily attend construction for a period not to exceed 90 days in conformance to the requirements of the Champaign County Zoning Ordinance.
  
- D. Noise, vibration, glare, heat, odors or fumes, dust or electromagnetic fields in excess of that lawfully permitted and customarily associated with uses permitted in the zoning district by the Champaign County Zoning Ordinance.
  
- E. Fire, explosion or toxic release hazards in excess of those lawfully permitted and customarily associated with uses permitted in the zoning district by the Champaign County Zoning Ordinance.
  
- F. Noise discernable by a person of average sensibility within any dwelling or lodging unit between the hours of 10:00 p.m. and 7:00 a.m. when the noise is of an intensity, tone, characteristic, frequency of occurrence or duration as not to be customarily associated with uses permitted in the zoning district in which such dwelling or lodging unit is located including, but not limited to, noise generated by the following activities:
  - 1. construction
  - 2. operation of powered tools or equipment;
  - 3. operation of motor vehicles or related equipment on private property;
  - 4. operation of any bell, siren, whistle, horn or similar device except for noncommercial use of unamplified bells or chimes; or
  - 5. operation of any sound amplification device; or
  - 6. keeping any DOMESTIC ANIMAL.

**SECTION 3.2 ACTIVITIES AND CONDITIONS CONSTITUTING PUBLIC NUISANCES - CONTINUED**

- G. Noise created at any time by a DOMESTIC ANIMAL within a residential zoning district, if discernable by a person of average sensibility within any dwelling or lodging unit, when a noise is of an intensity, tone, characteristic, frequency of occurrence or duration as not to be customarily associated with uses permitted in the zoning district where such dwelling or lodging unit is located.
- H. Construction, erection or placement of any object, parking of any vehicle, or growth of any plant material so as to violate the visibility requirements of Section 4.3.3E of the Champaign County Zoning Ordinance [Appendix A].
- I. Swimming pools not completely enclosed by a chain link or equivalent fence no less than four feet in height.
- J. DANGEROUS STRUCTURES which may be of any of the following types:
  - 1. TYPE 1, 2, 3, and 4 DANGEROUS STRUCTURES.
  - 2. A building or other structure may be a TYPE 5 DANGEROUS STRUCTURE due to any of the following conditions:
    - a. Modifications and changes to emergency egress that do not meet the relevant requirements of the Illinois State Fire Marshal.
    - b. Failure to comply with the relevant occupancy limits as established by the Illinois State Fire Marshal.
    - c. Major interior or exterior wetness in or on the structure that could lead to structural deterioration if allowed to continue or that results in the growth of unusually large amounts of mold inside a building including building spaces not intended for human occupancy.
    - d. Deterioration on the exterior of the building or structure that inappropriately allows unusual amounts of exterior weather and wetness to enter into the building interior including building spaces not intended for human occupancy.
    - e. Inadequate or weakened construction that is evidenced by either structural movement far in excess of generally recognized safe limits or that may be evidenced by severe degradation of structural members.
    - f. Unavailability of safe potable water inside each DWELLING UNIT.

**SECTION 3.2 ACTIVITIES AND CONDITIONS CONSTITUTING PUBLIC NUISANCES - CONTINUED**

- g. Unavailability of a working toilet inside each DWELLING UNIT.
  - h. Plumbing that does not meet the relevant requirements of the Illinois State Plumbing Code.
  - i. Failure of a required septic system in the absence of a lawfully connected sanitary sewer.
  - j. Lack of interior heating due to an inoperable heating system or the failure to maintain necessary gas or electrical service except when the failure to maintain the necessary service is strictly due to the tenant's failure to pay rent or the tenant's failure to pay service bills that are clearly the responsibility of the tenant.
  - k. Unavailability of necessary gas or electrical service or power for essential ventilation, heating, or lighting due to either an inadequate gas or electrical service except when the failure to maintain necessary gas or electrical service except when the failure to maintain the necessary service is strictly due to the tenant's failure to pay rent or the tenant's failure to pay service bills that are clearly the responsibility of the tenant.
  - l. An inadequate electrical system that results in occupants relying on extension cords to provide power for essential heating, cooking, or lighting or that does not provide adequate and reliable electrical power for such essential needs in a safe manner.
  - m. The use of extension cords to provide any power into a DWELLING UNIT from an electrical source which is located outside of that DWELLING UNIT.
- K. Accumulation of stagnant water other than in ponds, lakes, or natural depressions.
- L. ABANDONED SIGN STRUCTURES.
- M. Destruction or obstruction, by act or omission, of the operation of the following, when they are indicated on the approved engineering drawings for any recorded subdivision plat or other approved site plan:
- 1. any drainage structure or feature that drains an area of more than five acres; or
  - 2. any stormwater detention facility.

**SECTION 3.2 ACTIVITIES AND CONDITIONS CONSTITUTING PUBLIC NUISANCES - CONTINUED**

- N. OPEN BURNING as follows:
  - 1. OPEN BURNING of LANDSCAPE WASTE that is not in conformance with all of the conditions and requirements of paragraphs 3.3F. or 3.3G.
  - 2. OPEN BURNING of MANURE.
  - 3. OPEN BURNING of LANDSCAPE WASTE when the Chair of the Champaign County Board has prohibited all open burning of LANDSCAPE WASTE in the event of emergencies which require shifting of staff priorities or conditions that may represent significant potential for fire safety issues as authorized in paragraph 4.1D.
  
- O. The keeping of a ROOSTER in a Residential zoning district within 1,000 feet of a home rule municipality.

**3.3 Activities and Conditions Not Constituting Public Nuisances**

- A. All lawful agricultural activities, appurtenances and structures except the outdoor storage of INOPERABLE FARM VEHICLES [Appendix C].
  
- B. Storage outside a FULLY ENCLOSED BUILDING in any zoning district of no more than one INOPERABLE VEHICLE meeting all of the following conditions:
  - 1. the vehicle weighs less than 8,000 lbs. gross vehicle weight;
  - 2. the vehicle is capable of being licensed for operation on a public street;
  - 3. the vehicle is fully intact on the exterior including all wheels, all tires (which must be inflated), all body parts, all windows, all bumpers and grills, all exterior lights;
  - 4. the vehicle is located no less than five feet from any lot line, and is parked on a driveway or is screened from any adjacent lot by a Type C screen pursuant to Section 4.3.3G of the Champaign County Zoning Ordinance [Appendix B]; and
  - 5. no other inoperable vehicle is stored outside on the same lot except FARM VEHICLES.

**SECTION 3.3 ACTIVITIES AND CONDITIONS NOT CONSTITUTING PUBLIC NUISANCES -  
Continued**

- C. Storage outside a FULLY ENCLOSED BUILDING in a non-residential zoning district of no more than one INOPERABLE VEHICLE subject to the following conditions:
1. the vehicle is fully intact on the exterior including all wheels or tracks, all tires (which must be inflated), all body parts including cab and all doors and windows;
  2. the vehicle is screened from view from any adjacent lot not zoned for business or industrial use or public street by a Type D screen pursuant to Section 4.3.3G of the Champaign County Zoning Ordinance [Appendix B]; and
  3. no other inoperable vehicle is stored outside on the same lot except FARM VEHICLES.
- D. Storage outside a FULLY ENCLOSED BUILDING in a non-residential zoning district of an INOPERABLE VEHICLE awaiting repair on the premises of a lawful, permitted repair business or rural home occupation for a period not to exceed 30 days, or on the premises of a salvage or wrecking yard subject to all applicable provisions of the Champaign County Zoning Ordinance.
- E. Storage outside a FULLY ENCLOSED BUILDING of no more than six INOPERABLE FARM VEHICLES or pieces of farm equipment but no more than two of a specified type or function provided such vehicles or pieces of equipment are located no less than 100 feet from any lot line or are fully screened from any adjacent lot or public street by a Type D screen pursuant to Section 4.3.3G of the Champaign County Zoning Ordinance [Appendix B].
- F. OPEN BURNING of LANDSCAPE WASTE in areas located outside of the PROHIBITED BURN AREA that complies with the following:
1. the requirements of the relevant Fire Protection District, including the setting of fires to combat or limit existing fires, when reasonably necessary in the judgement of the relevant Fire Protection District; and
  2. at a burn site provided and supervised by any unit of local government, including any such site located within the PROHIBITED BURN area; or
  3. the burning of AGRICULTURAL WASTE that conforms to the requirements of the Illinois Pollution Control Board and the IEPA as established in Title 35 Illinois Administrative Code, Part 237; or



**SECTION 3.3    ACTIVITIES AND CONDITIONS NOT CONSTITUTING PUBLIC NUISANCES –  
Continued**

4.     for burning specifically permitted by the IEPA, the Illinois Pollution Control Board and IEPA rules regarding OPEN BURNING as established in Title 35 Illinois Administrative Code, Part 237 and in conformance with any special conditions imposed by the IEPA, and provided that a copy of said permit and any special conditions has been provided to the ZONING ADMINISTRATOR; or
5.     all other OPEN BURNING of LANDSCAPE WASTE shall comply with the following:
  - a.     The burning shall occur on the same premises on which the LANDSCAPE WASTE is generated; and
  - b.     The burning shall not occur on public or private roads or rights of way, alleys, or sidewalks without the specific approval of the relevant highway authority; and
  - c.     The burning shall not create a visibility hazard on roadways, railroad tracks, or airfields subject to a determination by the relevant Fire Protection District and/or Champaign County Sheriff; and
  - d.     The burning shall not create a hazard to safety for people or property as a result of sustained wind speed being greater than 10 miles per hour and/or there being unusually dry weather conditions, subject to a determination by the relevant Fire Protection District.

**G.     OPEN BURNING of LANDSCAPE WASTE within the PROHIBITED BURN AREA that complies with the following:**

1.     subsections 3.3F. 1 through 4; or
2.     if no LANDSCAPE WASTE COLLECTION ALTERNATIVE is available, OPEN BURINING of WOODY LANDSCAPE WASTE may occur provided the OPEN BURNING complies with subsections 3.3F. 1 and 5 and the following:
  - a.     The burning shall be supervised by a responsible adult that shall be present and shall have a method of extinguishing the fire such as a shovel and a connected water hose or fire extinguisher;

**SECTION 3.3 ACTIVITIES AND CONDITIONS NOT CONSTITUTING PUBLIC NUISANCES –  
Continued**

- b. The burning shall only occur when atmospheric conditions will readily dissipate contaminants including the following minimum conditions:
  - (1) WOODY LANDSCAPE WASTE shall only be burned when there is a wind speed of at least 5 miles per hour to facilitate removal of any smoke, but for safety reasons WOODY LANDSCAPE WASTE shall not be burned when the sustained wind speed is greater than 10 miles per hour (or greater as established by the relevant Fire Protection District).
  - (2) WOODY LANDSCAPE WASTE shall only be burned between the hours of 9 a.m. and 6 p.m. so as to get the best natural smoke dispersion conditions.
- c. The burning shall not create an excessive amount of particulate matter (smoke) and shall comply with the following:
  - (1) The WOODY LANDSCAPE WASTE must be dry enough to burn with no more than minimal smoke. Green or freshly cut WOODY LANDSCAPE WASTE shall not be burned. WOODY LANDSCAPE WASTE shall not be burned soon after a rainfall unless the WOODY LANDSCAPE WASTE has since become dry.
  - (2) No materials shall be used to promote combustion other than that required for ignition, such as a match or a propane torch or a commercial lighter, and sufficient tinder or kindling for ignition. No petroleum products or other accelerants may be used.
  - (3) WOODY LANDSCAPE WASTE that is to be burned shall be small enough to completely burn within the hours of 9 a.m. and 6 p.m. and if not burned completely by 6 p.m. the burning WOODY LANDSCAPE WASTE shall be completely extinguished at 6 p.m..
  - (4) The pile of WOODY LANDSCAPE WASTE to be burned shall be as small and compact as possible to facilitate complete combustion and to minimize smoke. The pile should not be so large as to result in smoldering nor so large as to create undue safety hazards. The maximum area of a burn pile shall be 5 feet by 5 feet or less if required by the relevant Fire Protection District.
  - (5) Poison ivy and poison oak shall not be burned.

**SECTION 3.3 ACTIVITIES AND CONDITIONS NOT CONSTITUTING PUBLIC NUISANCES –  
Continued**

- (6) Burning of WOODY LANDSCAPE WASTE shall not result in odor other than wood smoke. The burning shall be extinguished if an odor other than wood smoke is generated or if excessive amounts of wood smoke are generated.
  - (7) Burning WOODY LANDSCAPE WASTE shall not be allowed to smolder or to produce excessive smoke and the burning must produce a visible flame at all times. Any smoldering WOODY LANDSCAPE WASTE must be completely extinguished and allowed to dry adequately before attempting to burn the WOODY LANDSCAPE WASTE again.
- d. The burning shall be separated from an adjacent dwelling on other property and from adjacent farm fields or pastures by an amount equal to one-half the average width of the property doing the burning but does not have to exceed 100 feet.
  - e. The burning may be for legitimate campfire, recreational, and cooking purposes or in domestic fireplaces provided that no GARBAGE shall be burned.



## ***SECTION 4. ADMINISTRATION AND ENFORCEMENT***

### **4.1 County Officials - Powers and Duties**

- A. Administration and Enforcement of this ordinance shall be vested in the duly appointed Zoning Administrator of Champaign County and in the Champaign County Sheriff to whom are delegated, to the extent permitted by law and consistent with the provisions of this Ordinance, all powers of the Champaign County Board required to effectively administer and enforce this ordinance including but not limited to the following:
1. render interpretations of this ordinance;
  2. receive and investigate complaints alleging violations of this ordinance;
  3. conduct such inspections of property as are necessary to determine whether any complaint or allegation substantiates a finding of a violation;
  4. seek search warrants if necessary in order to conduct such inspections;
  5. determine whether or not any complaint or allegation substantiates a finding of violation or whether such violation constitutes a *de minimis* violation not requiring further action;
  6. issue notices of violation to any and all POTENTIALLY RESPONSIBLE PERSONS for such violations;
  7. issue stop work or stop action orders to prevent the creation, enlargement or continuation of a public nuisance;
  8. request that the State's Attorney's Office file a quasi-criminal or other complaint or take other action to enforce this ordinance;
  9. request the assistance of any other County Official in the enforcement of this ordinance;
  10. refer complaints to and otherwise cooperate with other local, state or federal agencies potentially having jurisdiction with respect to any complaint or allegation of violation;
  11. enter into agreements with any RESPONSIBLE PERSON for abatement of the public nuisance;
  12. propose amendments to this ordinance as may be required from time to time; or
  13. delegate any or all of his or her powers or duties to designated subordinates.

**SECTION 4.1 COUNTY OFFICIALS - POWERS AND DUTIES - CONTINUED**

- B. The Zoning Administrator shall take or cause to be taken all lawful actions which in his or her judgment are necessary to effectively administer and enforce this ordinance and shall have the following duties:
1. render interpretations of this ordinance when so requested;
  2. receive and investigate complaints alleging violation of this ordinance;
  3. issue notices of violation when upon investigation complaints are substantiated except in the case of *de minimis* violations;
  4. maintain permanent records of the adoption, amendment, administration and enforcement of this ordinance in accordance with the *Illinois Public Records Act* (50 ILCS 205/1 *et. seq.*);
  5. release any records created under this ordinance to the public in accord with the *Illinois Freedom of Information Act* (5 ILCS 140/1 *et. seq.*) and the policies and procedures established by the County Board;
  6. assist the Environment and Land Use Committee of the County Board in any and all proceedings regarding the adoption, amendment, administration or enforcement of this ordinance;
  7. Assist the State's Attorney, Sheriff, or other County officials in investigations, prosecutions or other actions taken to enforce this ordinance; and
  8. make such periodic reports to the Environment and Land Use Committee of the County Board with respect to administration and enforcement of this ordinance as the Committee may request.
- C. The Champaign County Sheriff may act to enforce any provision of this ordinance when, due to the nature of a public nuisance or its time of occurrence, such action is deemed warranted by the Sheriff to achieve the purpose of the ordinance or, in lieu of acting directly, may refer any complaint to the Zoning Administrator. To effect the purposes of this ordinance the Sheriff shall be delegated all necessary powers including but not limited to power to:
1. receive and investigate complaints alleging violations of this ordinance;
  2. conduct such inspections of property as are necessary to determine whether any complaint or allegation substantiates a finding of a violation;
  3. seek search warrants if necessary in order to conduct such inspections;
  4. determine whether or not any complaint or allegation substantiates a finding of violation or whether such violation constitutes a *de minimis* violation not requiring further action;
  5. issue notices of violation to any and all POTENTIALLY RESPONSIBLE PERSONS for such violations;
  6. issue stop work or stop action orders to prevent the creation, enlargement or continuation of a public nuisance;

**SECTION 4.1 COUNTY OFFICIALS - POWERS AND DUTIES - CONTINUED**

7. request that the State's Attorney's Office file a quasi-criminal or other complaint or take other action to enforce this ordinance;
  8. request the assistance of any other County Official in the enforcement of this ordinance;
  9. refer complaints to and otherwise cooperate with the other local, state or federal agencies potentially having jurisdiction with respect to any complaint or allegation of violation;
  10. propose amendments to this ordinance as may be required from time to time; or
  11. delegate any or all of his or her powers or duties to designated subordinates as authorized by law.
- D. The Chair of the Champaign County Board shall have the authority to prohibit all open burning of LANDSCAPE WASTE in the event of emergencies which require shifting of staff priorities or conditions that may represent significant potential for fire safety issues.

**4.2 Complaints and Inspections**

- A. Any person may file a complaint with the Zoning Administrator or Sheriff alleging violations of this ordinance, orally, in writing or by other means. The Zoning Administrator shall investigate all complaints except repeat complaints of *de minimis* violations.
- B. When in the opinion of the Zoning Administrator or Sheriff the cooperation of the complainant is necessary to effectively investigate or prosecute a violation and such cooperation is not forthcoming no action need be taken on the complaint the provisions of Section 4.2A notwithstanding.
- C. Complainants shall not be required to reveal their identity, place of residence or employment or any other personal or identifying information except as may be required pursuant to Section 4.2B.
- D. No County employee shall reveal the identity of a complainant, without his or her consent, to persons not directly involved in administering or enforcing this ordinance except as required by law.
- E. All complaints received by the Zoning Administrator or Sheriff shall be logged with respect to the date received, location of the premises complained of and the nature of the alleged violation.

**SECTION 4.2 COMPLAINTS AND INSPECTIONS - CONTINUED**

- F. The Zoning Administrator or Sheriff shall inspect the premises which are the subject of any complaint within a reasonable period of time provided that such inspections or investigations can be conducted safely and effectively.
- G. The Zoning Administrator or Sheriff shall make a record of the conditions found by all inspections that substantiate a violation including identification of any violations of this ordinance and subsequent actions taken with respect to the violation.
- H. The Zoning Administrator or Sheriff may conduct additional inspections as deemed necessary to verify the continued existence or abatement of the public nuisance.

**4.3 Notice**

- A. Upon determining that a public nuisance exists the Zoning Administrator or Sheriff shall serve notice upon the OWNER OF RECORD of the premises where the public nuisance exists and any other potentially RESPONSIBLE PERSONS pursuant to Section 3.1 who have been identified. Notice need not be provided to all RESPONSIBLE PERSONS.
- B. When a second written notice is provided to a RESPONSIBLE PERSON other than the OWNER OF RECORD, a copy of such notice shall be mailed to the OWNER OF RECORD within two WORKING DAYS.
- C. Notice may be made by mail, personal service or by posting on the premises where the public nuisance is located or by issuance of a Notice to Appear meeting the requirements of 725 ILCS 5/107-12. Any notice may be preceded by an oral or written warning. If notice is made by issuance of a Notice to Appear the County official issuing such notice shall indicate on it whether the RESPONSIBLE PERSON to whom the Notice to Appear is issued may pay the minimum fine set forth in Section 6.3 as settlement of such violation subject to the State's Attorney's approval.
- D. The notice of violation shall specifically describe the public nuisance or nuisances and shall direct the OWNER OF RECORD and other RESPONSIBLE PERSONS, if any, to abate or remove such public nuisance or nuisances within a reasonable period. Such period shall extend not less than 15 days after the date of service or posting the notice except in the instance of an ongoing activity in which case the Zoning Administrator or Sheriff may order an immediate stop to the activity or in the case of imminent peril to the public health or safety in which case immediate abatement may be ordered.



**SECTION 4.3 NOTICE - CONTINUED**

- E. The Zoning Administrator may serve additional notices subsequent to the original notice or serve notice to other RESPONSIBLE PERSONS or rescind notices served on any or all RESPONSIBLE PERSONS.

**4.4 Abatement of Nuisances**

- A. If a public nuisance has not been abated within the period specified in the first notice of violation, the Zoning Administrator or Sheriff may issue additional notices or refer the violation to the Champaign County State's Attorney and request that the State's Attorney file a quasi-criminal or other complaint, or request an injunction or take other action to enforce this ordinance.
- B. Moving or relocating any activity or material from the location or premises identified in a notice of violation to another location or premises in unincorporated Champaign County where the activity or material constitutes a public nuisance shall be deemed a failure to abate the original cited nuisance and a continuation of the original cited nuisance.
- C. The Zoning Administrator may enter into agreement with a RESPONSIBLE PERSON or PERSONS providing for abatement of a public nuisance over a specified period of time provided that any agreement extending for a period exceeding 30 days shall be executed in writing. No agreement shall extend for a period exceeding 180 days.
- D. The County may act to abate a public nuisance involving GARBAGE or DEBRIS upon expiration of the period specified in the notice of violation. The county, pursuant to the *Illinois Counties Code* (55 ILCS 5/5-1118), may provide for the removal of the GARBAGE or DEBRIS if the owner of the property on which the nuisance is located has failed to abate the public nuisance. The County may collect the reasonable costs of removal from the owner which costs shall be a lien upon the property.

**4.5 Stay of Proceedings**

An appeal if filed shall stay all proceedings to enforce the action appealed unless the Zoning Administrator certifies to the Environment and Land Use Committee after the appeal has been filed that by reason of facts stated in the certificate a stay could cause imminent peril to the public health or safety in which case proceedings shall not be stayed except by an order of the Environment and Land Use Committee.



## **SECTION 5. APPEALS**

### **5.1 Filing Appeals**

- A. Any person aggrieved by any decision, or action taken by the Zoning Administrator pursuant to this Ordinance may appeal such decision or action to the Environment and Land Use Committee of the Champaign County Board.
- B. Appeals shall be filed with the Zoning Administrator within 15 days of notice of the action appealed.
- C. The appeal shall be submitted on forms supplied by the Zoning Administrator and shall contain the following information:
  - 1. the name, address and telephone number of the appellant;
  - 2. the date of the decision, notice or action appealed;
  - 3. the nature of the decision or action appealed from; and
  - 4. the reason the decision or action should be reversed or modified.

### **5.2 Appeal Hearings**

- A. The Zoning Administrator shall notify the Chair of the Environment and Land Use Committee within five working days that an appeal has been filed. The Chair of the Environment and Land Use Committee shall schedule an appeal hearing before the Committee within 60 days.
- B. At least five WORKING DAYS prior to the hearing the Zoning Administrator shall provide written notice of the date, time, and place of the hearing to the appellant, OWNER OF RECORD of the premises involved; and the complainant, if known. If notice is mailed delivery shall be presumed to have occurred on the second day after mailing.
- C. The Zoning Administrator shall transmit to the Environment and Land Use Committee all documents and other information constituting the record upon which the action appealed from was taken except for the identity of the complainant, if known.

**SECTION 5.2 APPEAL HEARINGS - CONTINUED**

- D. Appeal hearings shall be informal and the Committee shall not be bound by the rules of evidence. All testimony shall be given under oath and all parties shall be given the opportunity to question others. A permanent record shall be made and kept on file by the Zoning Administrator. The appellant may attend personally or by agent or with the assistance of counsel. The Zoning Administrator shall be given an opportunity to respond.
- E. The Committee shall decide the appeal on the date the hearing is closed or at its next regularly scheduled meeting. The Committee may continue the hearing to a date certain so as to ensure the fundamental fairness of the proceeding.

**5.3 Decisions on Appeals**

- A. The Environment and Land Use Committee may, so long as such action is in conformity with the terms of this Ordinance, reverse, modify, or affirm, wholly or in part, the decision, or other action of the Zoning Administrator from which the appeal is taken and may make such order, decision or determination as it deems ought to be made.
- B. The concurring vote of three-fourths of the members of the Environment and Land Use Committee shall be necessary to reverse or modify any decision or other action of the Zoning Administrator.
- C. If the Committee shall find against a RESPONSIBLE PERSON appellant, the Zoning Administrator shall establish a reasonable period of time as provided in Section 4.3C, for the appellant to abate the public nuisance before further proceedings are instituted.
- D. The decision of the Committee shall be put in writing and a copy shall be mailed to the appellant and any other parties to the hearing within five WORKING DAYS of the decision.

## **SECTION 6. VIOLATIONS AND PENALTIES**

### **6.1 Violations**

- A. Any PERSON who acts in a manner proscribed in Section 3.1 shall be guilty of a violation of the ordinance and, upon conviction shall be subject to the penalties set forth herein.
- B. Each day a public nuisance exists or is allowed to exist after the violation is first discovered shall be deemed a separate offense subject to penalties under this ordinance.

### **6.2 Settlement of Violations**

#### **6.2.1 Settlement Without Court Appearance**

- A. A PERSON accused of a violation of this ordinance may be permitted, at the discretion of the State's Attorney, to pay the minimum fine set forth in Section 6.3 as settlement of such violation if payment is made in the manner provided in Section 6.2.2.
- B. If the PERSON has not ceased the activity nor corrected the condition constituting the violation, or if the fine is not received within the time specified in Section 6.2.2 a complaint may be filed in which case any payment shall be returned or applied to any fine and/or court costs imposed by the Court. If the complained of activity or condition has not been corrected a separate complaint may be filed naming the OWNER OF RECORD in addition to any other RESPONSIBLE PERSON.
- C. In the case of a Notice to Appear which has been issued to a PERSON other than the OWNER OF RECORD, settlement by payment of the minimum fine has been accepted, the minimum fine has been received as provided in Section 6.2.2 and the activity or condition complained of has been corrected no separate complaint shall be filed against the OWNER OF RECORD and the OWNER OF RECORD shall be so notified.

### **6.2.2 Payment of Minimum Fines**

Payments in settlement of violations shall be made by cash, certified check, money order or cashier's check made payable to the Champaign County Collector and shall be delivered to the office of the Zoning Administrator by mail or other means in such a manner that the payment is received by 4:30 p.m. prevailing time of the first WORKING DAY following a period of fourteen days from the date of issuance of the Notice to Appear.

### **6.3 Minimum Fine for Certain Violations**

The minimum fine for a violation as specified in Section 6.1 shall be \$100.

### **6.4 Other Penalties**

In the case of any PERSON who fails to settle a violation as provided in Section 6.2.1 or in other cases at the discretion of the State's Attorney, a complaint may be filed in the Circuit Court and the violation shall not be settled by payment of a minimum fine regardless of whether the complained of activity or conditions shall be corrected. In such case the penalty for each separate offense shall be a fine of not less than \$100 nor more than \$500 for a first conviction and not less than \$200 nor more than \$500 for any subsequent conviction.

### **6.5 Injunctions and Judgements for Abatement by County**

In addition to any fines the County may also seek an injunction against any RESPONSIBLE PERSON requiring compliance with this Ordinance or petition a court for an appropriate order authorizing the County to enter upon the property and abate the cited public nuisance. If the County shall abate the public nuisance in such a manner the County may obtain a judgement for the reasonable costs of abatement. Such judgement shall become a lien upon the real estate where the public nuisance is located when a memorandum of judgement is filed in the recorder of deeds office pursuant to Article XII of the *Illinois Code of Civil Procedure* (735 ILCS 5/12-101 *et. seq.*)

### **6.6 Remedies Cumulative**

Nothing in this Ordinance shall be construed so as to limit or detract from the provisions of 740 ILCS 5/0.01 *et. seq.*, *Civil Liabilities*, nor be construed so as to legalize conditions which are violations of any other County Ordinance or which are nuisances at common law or to preclude any remedies available at common law or in equity.

**SECTION 7. SEVERABILITY, PUBLICATION AND EFFECTIVE DATE**

**7.1 Severability**


Should any part of this ordinance be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions of this ordinance.

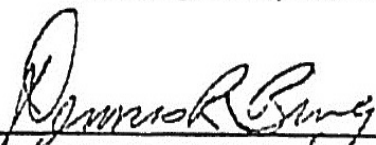
**7.2 Publication**

Within 15 days of the adoption of this ordinance the County Clerk shall cause notice to be published in a newspaper of general circulation within the County that the ordinance has been adopted including the effective date of the ordinance and the availability of copies in the office of the Zoning Administrator.

**7.3 Effective Date**

This ordinance shall be in full force and effective ten days after the date of publication.

  
\_\_\_\_\_  
Lyle E. Shields, Chairman, Champaign County Board  
Champaign County, Illinois

ATTEST:   
\_\_\_\_\_  
Dennis R. Bing, County Clerk and ex-officio  
Clerk of the County Board



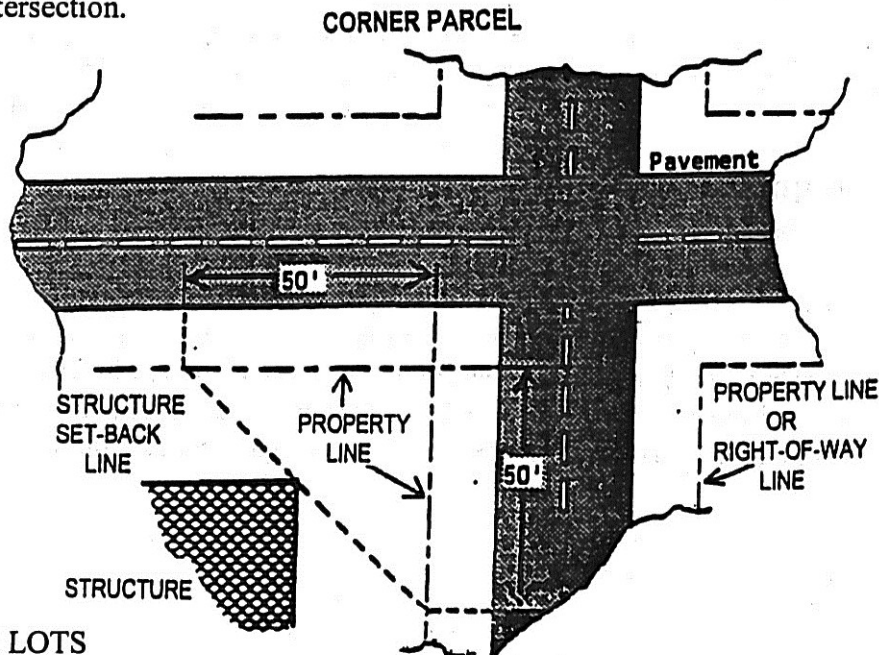


**APPENDIX A – CHAMPAIGN COUNTY ZONING ORDINANCE (excerpt)**

**Section 4.3.3.F Visibility**

**1. CORNER LOT**

Nothing shall be CONSTRUCTED, erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between the HEIGHT of two and one-half feet and 6 feet above the centerline grades of the intersecting STREETS in an area bounded by the STREET RIGHT-OF-WAY lines of CORNER LOTS and a straight line joining points along said STREET RIGHT-OF-WAY lines 50 feet from the nearest point of intersection.



**2. All LOTS**

To prevent obstruction of sight lines, nothing shall be CONSTRUCTED, erected, placed, planted or allowed to grow in such a manner as to materially impede vision in the driveway visibility triangle defined as an area bounded by the FRONT or SIDE LOT LINE, each side of any driveway, and a straight line joining points on the lot line measured 15 feet from the driveway and points along the driveway measured 15 feet from the lot line. Trees within this visibility triangle shall be trimmed so that the lower foliage line is maintained at least six feet above the crown of the adjoining pavement, except trees need not be trimmed in excess of one-third of their total HEIGHT. Fences may consist of a chain link, wire mesh, or split rail type fence, or other design which does not materially impede vision in the visibility triangle.



***APPENDIX B –CHAMPAIGN COUNTY ZONING ORDINANCE (excerpt)***

**Section 4.3.3G Screen**

1. SCREEN Standards and Types of SCREENS
  - a. Type A: Decorative opaque fence, shrubs or other vegetative material or a landscaped berm planted and maintained with a minimum HEIGHT of four feet as measured from the highest adjacent grade.
  - b. Type B: An opaque fence or wall with a minimum HEIGHT of four feet as measured from the highest adjacent grade
  - c. Type C: A landscaped berm or an opaque fence or wall, or a SCREEN PLANTING with a minimum HEIGHT of six feet as measured from the highest adjacent grade.
  - d. Type D: A landscaped berm, or an opaque fence or wall, or SCREEN PLANTING with a minimum HEIGHT of eight feet as measured from the highest adjacent grade.
2. Existing structures, vegetation, and/or topographic features that provide equivalent screening may be used in lieu of the screen type required elsewhere in this ordinance provided however that if they are ever removed or become ineffective for any reason they shall be replaced with the required type of screen.



**APPENDIX C - A RESOLUTION PERTAINING TO THE RIGHT TO FARM  
IN CHAMPAIGN COUNTY**

**RESOLUTION NO. 3425**

**A RESOLUTION PERTAINING TO THE  
RIGHT TO FARM IN CHAMPAIGN COUNTY**

**WHEREAS, the Chairman and the Board of Champaign County have determined that it is in the best interest of the residents of Champaign County to enact a Right to Farm Resolution which reflects the essence of the Farm Nuisance Suit Act as provided for in the Illinois Compiled Statutes, 740 ILCS 70 (1992); and**

**WHEREAS, the County wishes to conserve, protect, and encourage development and improvement of its agricultural land for the production of food and other agricultural products; and**

**WHEREAS, when nonagricultural land uses extend into agricultural areas, farms often become the subject of nuisance suits. As a result, farms are sometimes forced to cease operations. Others are discouraged from making investments in farm improvements.**

**NOW, THEREFORE, BE IT HEREBY RESOLVED by the Chairman and the Board of Champaign County as follows:**

- 1. That the purpose of this resolution is to reduce the loss to the county of its agricultural resources by limiting the circumstances under which farming operations are deemed a nuisance.**
- 2. That the term "farm" as used in this resolution means that part of any parcel of land used for the growing and harvesting of crops, for the feeding, breeding, and management of livestock; for dairying or other agricultural or horticultural use or combination thereof.**
- 3. That no farm or any of its appurtenances should be or become a private or public nuisance because of any changed conditions in the surrounding area occurring after the farm has been in operation for more than one year, when such farm was not a nuisance at the time it began operation.**

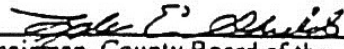
APPENDIX C - A RESOLUTION PERTAINING TO THE RIGHT TO FARM IN CHAMPAIGN COUNTY  
- CONTINUED

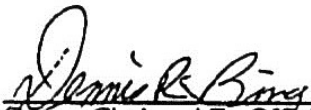
RESOLUTION NO. 3425

Page 2

4. That these provisions shall not apply whenever a nuisance results from the negligent or improper operation of any farm or its appurtenances.

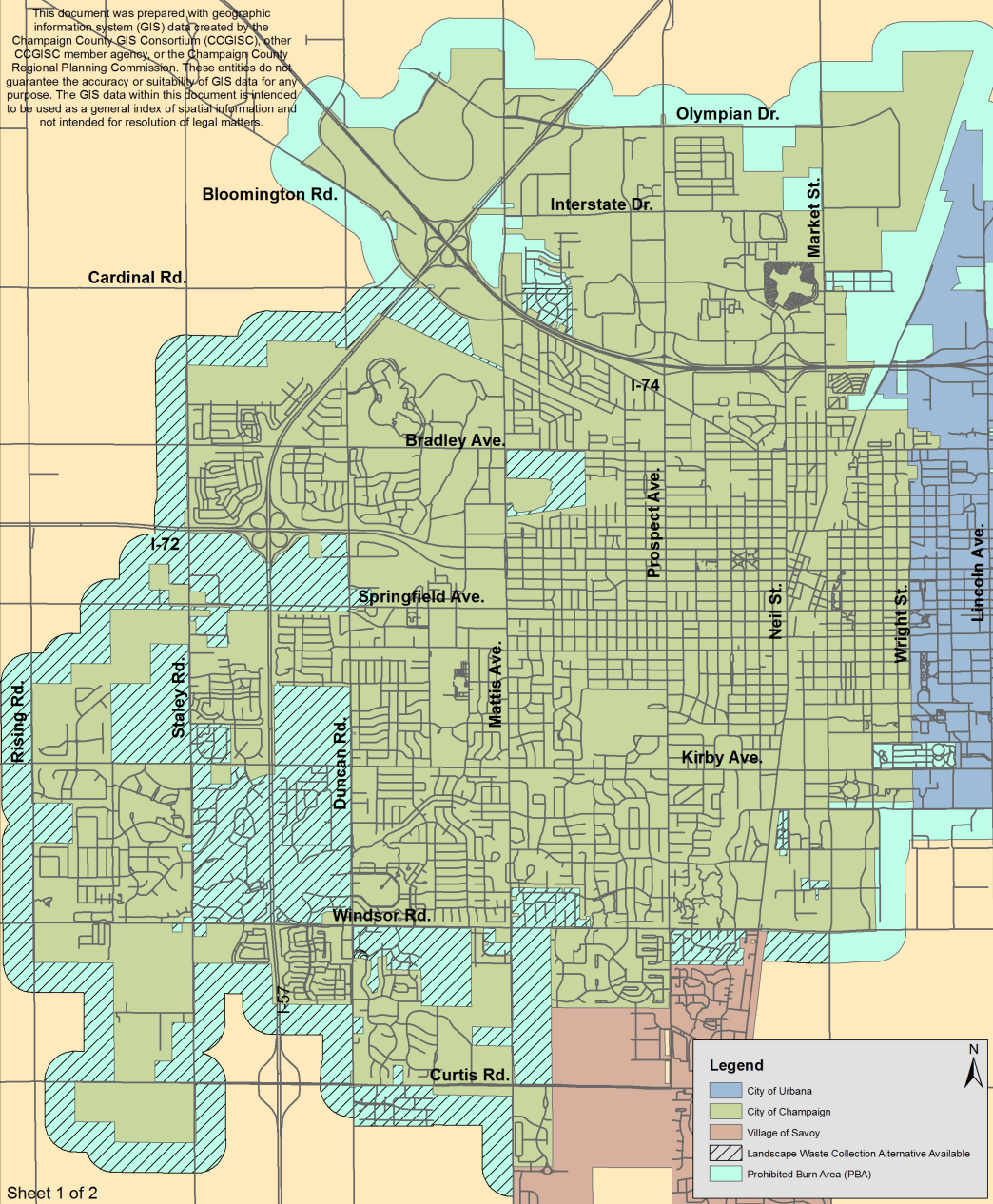
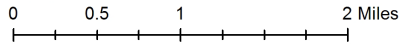
PRESENTED, ADOPTED, APPROVED AND RECORDED this 24<sup>th</sup> day of  
May, A.D., 1994.

  
\_\_\_\_\_  
Chairman, County Board of the  
County of Champaign, Illinois

ATTEST:   
\_\_\_\_\_  
County Clerk and Ex-Officio  
Clerk of the County Board

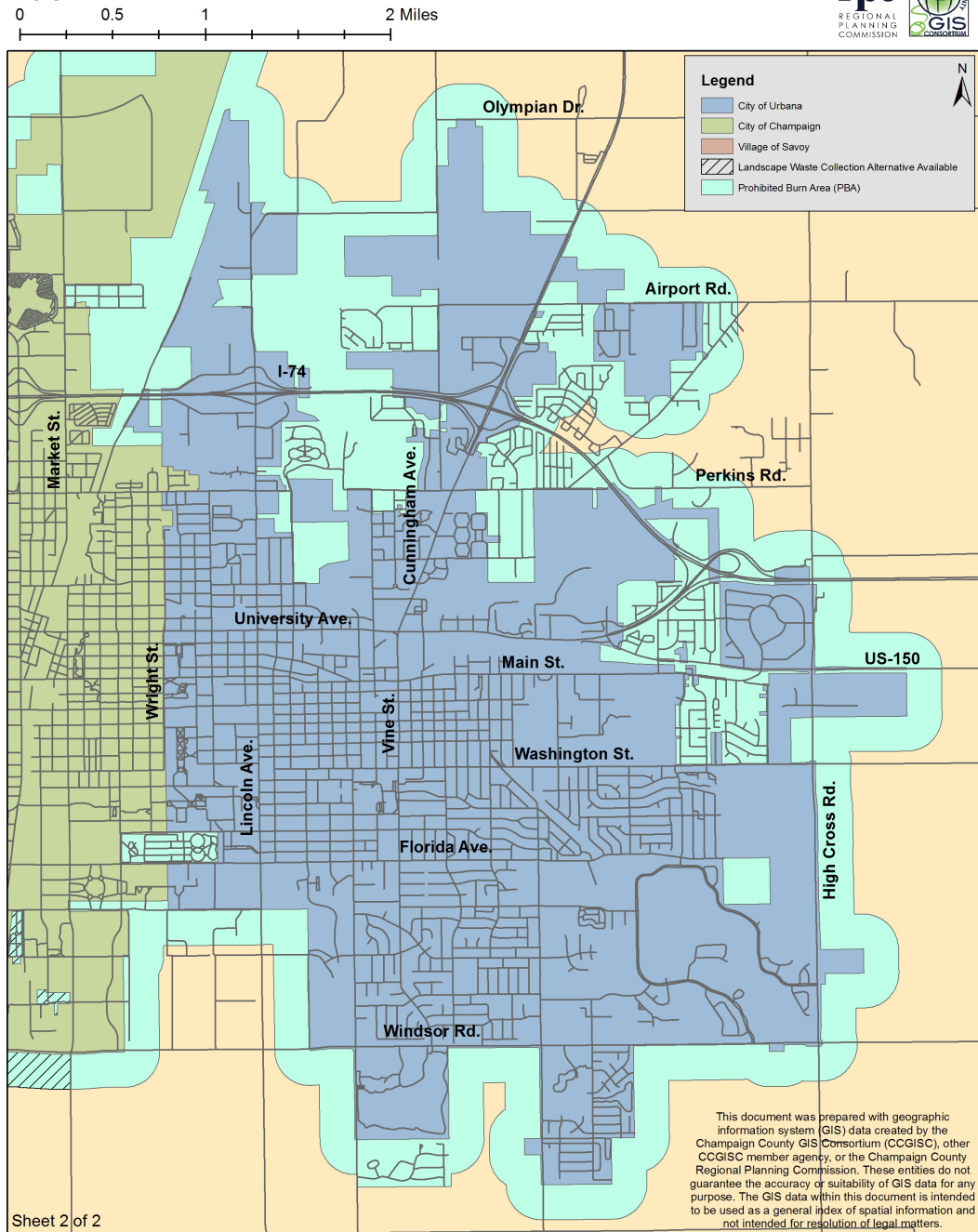
**APPENDIX D – PROHIBITED BURN AREA – also see next page**

**Appendix D: Prohibited Burn Area**



**APPENDIX D – PROHIBITED BURN AREA –also see previous page**

Appendix D: Prohibited Burn Area





**APPENDIX E -- AMENDMENTS**

1. Ordinance No. 533, May 20, 1997.
  - Section 1. Add paragraph M.
  - Section 3. Add paragraph 3.2L.
  
2. Ordinance No. 550, December 16, 1997
  - Section 2 Amend Section 2.2 to add DOMESTIC ANIMAL definition.
  - Section 3 Amend Section 3.2F.
  - Section 3 Add paragraph 3.2G, renumber remaining paragraphs.
  - Section 4 Amend title of Section 4.1.
  - Section 4 Amend introductory paragraph of Section 4.1A.
  - Section 4 Add paragraph 4.1C.
  - Section 4 Amend Section 4.2 to add new paragraph B, and amend new paragraphs A, C, E, F, G and H.
  - Section 4 Amend Section 4.3.
  - Section 4 Amend Section 4.4A.
  - Section 6 Amend Section 6.
  
3. Ordinance No. 651, adopted May 21, 2002
  - Section 2 Amend Section 2.2 to amend DANGEROUS STRUCTURES definition.
  
4. Ordinance No. 868, adopted August 19, 2010
  - Section 1 Add paragraphs F, G, H, and M, relettering as required.
  - Section 2 Amend Section 2.2 to amend DANGEROUS STRUCTURE definition.
  - Section 3 Amend Section 3.2 to amend paragraph J to add subparagraphs 1 and 2 (a. through m.).

**APPENDIX E – AMENDMENTS - continued**

5. Ordinance No. 984, adopted October 20, 2016
  - Section 2 Amend subsection 2.2 to add the following definitions:  
AGRICULTURAL WASTE; FOOD AND FOOD PRODUCT  
GARBAGE; IEPA; PROHIBITED BURN AREA; LANDSCAPE  
WASTE; LANDSCAPE WASTE, WOODY; LANDSCAPE WASTE  
COLLECTION ALTERNATIVE; MANURE; and, OPEN BURNING
  - Section 3 Amend subsection 3.2 to add item N
  - Section 3 Amend subsection 3.3 to add items F and G
  - Section 4 Amend subsection 4.1 to add item D
  - Appendix Add Appendix D, relettering AMENDMENTS as Appendix E
  
6. 2024-2, adopted February 22, 2024
  - Section 2 Amend Subsection 2.2 to add the definition of ROOSER
  - Section 3.2 Amend Subsection 3.2 to add item O.