

PRIVATE SEWAGE DISPOSAL ORDINANCE

Henry County Health Department

PREAMBLE

An ordinance regulating the altering, constructing, maintaining, repairing, replacing, and servicing, of private sewage disposal systems; pumping, hauling, and disposal of human excreta and domestic sewage; and the registration of Illinois licensed private sewage installation contractors, private sewage pumpers, and portable sanitation businesses within the limits of Henry County.

Whereas, the Henry County Board of Health has deemed it necessary to regulate Private Sewage Disposal to prevent the transmission of disease causing organisms, environmental contamination, and nuisances resulting from improper location, size, handling, storage, transportation and disposal of sewage.

Pursuant to 55 ILCS 5/5-25013, the Henry County Health Department may recommend to the county board the adoption of such ordinances and of such rules and regulations as may be deemed necessary or desirable for the promotion and protection of health and control of disease.

Pursuant to 55 ILCS 5/5-15010, the county board shall have authority to control and regulate the disposal of sewage, refuse, and any other wastes from any premises within the borders of the county, except with respect to waste management in a municipality that has severed itself from county jurisdiction under Section 5-15006, and to this end may adopt suitable ordinances.

SECTION I. DEFINITIONS

Community Public Sewer System means any sewage handling or treatment facility operating and maintained by a public agency or public utility under permit from the Illinois Environmental Protection Agency, not including the use of private sewage disposal systems on individual lots.

Construction Permit means a non-transferable document issued to a Henry County registered private sewage disposal installation contractor or property owner to include construction, modification, or installation together with a pre-cover inspection of a private sewage disposal system in accordance with the approved site plan under this ordinance and meet the requirements of the Illinois Private Sewage Disposal Code.

Health Authority means the Administrator or Health Officer of Henry County Health Department or his or her designee.

Modification means any changes in the design or component of a private sewage disposal system requiring a permit herein defined.

NPDES means the National Pollutant Discharge Eliminating System.

Plot Survey means a survey of the plot to determine if the plot proposed can accommodate a private sewage disposal system while maintaining an additional area for an equally sized replacement system that will be in compliance with this ordinance when the property is to be replatted, additional bedrooms or square footage are added to the existing dwelling, or if a dwelling must be rebuilt due to loss.

Portable Sanitation Permit means a non-transferable document issued to a Henry County registered portable sanitation business to operate a portable sanitation business in a specific location under this ordinance, and meet the requirements of the Illinois Private Sewage Disposal Code.

Private Sewage Disposal System means any sewage handling or treatment facility receiving domestic sewage from less than fifteen (15) people or population equivalent and having a ground surface discharge, or any sewage handling or treatment facility receiving domestic sewage and having no ground surface discharge.

Private Sewage Disposal System (alternative) means any system designed to address a unique circumstance where the prescriptive requirements of the Private Sewage Disposal Code does not apply, where the final treatment and discharge is free flowing through native soil, and where (i) the projected wastewater is likely to be atypical of residential or domestic wastewater in the flow may exceed 1500 gallons per day; (ii) the 5-day biochemical oxygen demand of the wastewater may exceed 300 milligrams per liter; (iii) any portion of the system is to be shared by 2 or more owners; or (iv) any portion of the treated wastewater is proposed for recycling or reuse.

Property means all or part of a tract of land for which legal title has been recorded.

Public Health hazard means a condition that is deemed dangerous or prejudicial to public health or safety, resulting from exposure to raw, untreated, or improperly treated wastewater or effluent.

Registration Certificate means an annual certificate issued by Henry County Health Department to all installers, pumpers, portable sanitation businesses engaged in installing, pumping, servicing of private sewage disposal systems and/or portable toilets and handwashing stations within the limits of Henry County.

Repair/Replacement/Alter means the movement, extension, addition, or replacement of part/whole of the major component of any type of system to include but not limited to subsurface disposal field/bed, septic tank, imhoff tank, aerobic treatment unit, chlorine contact chamber, pump, a seepage pit, seepage bed, media filter, waste stabilization pond, vegetative submerged bed, mound system, at grade system, or low pressure pipe system. However, the replacement of sub-components, such as tank access covers, risers, baffles, electrical components, switches, motors or controls, building sewer pipes, valves, and filter

replacements as well as the servicing of the system, tank pumping, maintenance, and adjustments are not considered a repair/replacement.

Subdivision means any division or re-division of a parcel/tract of land into two or more parts by means of mapping, platting, conveyance, change or rearrangement of boundaries.

Surface Discharging Private Sewage Disposal System means a sewage disposal system that discharges into the waters of the United States, as that term is used in the Federal Water Pollution Control Act.

SECTION II. ADOPTION BY REFERENCE

In addition to those provisions set forth in SECTION I through SECTION XI, this ordinance shall be interpreted and enforced in accordance with provisions set forth in the State of Illinois, Department of Public Health, "Private Sewage Disposal Licensing Act and Code" (225 ILCS 225), Private Sewage Mound Code (77 Ill. Adm.Code 906), Public Area Sanitary Practice Code (77 Ill. Adm.Code 895) and any subsequent amendments or revisions thereto. Copies of said Codes and Ordinances shall be on file in the office of the Henry County Clerk.

SECTION III. SANITARY DISPOSAL REQUIRED

- A.** No building, structure, area or premise shall be constructed or maintained for human occupancy, use or assembly, without adequate facilities for the sanitary and safe disposal of human excreta together with all liquid and solid wastes that could hazard the public health or create objectionable nuisance conditions. Repeated pumping of a septic tank to prevent such public nuisance or hazard because of system failure is not an acceptable remedy.
- B.** Where a publicly operated system for collection and disposal of sanitary wastes is available within two-hundred (200) feet of the property line, the utilization of such public sewage systems shall be considered the only safe and sanitary means of sewage and excreta disposal. No privy, septic tank or private means of sewage disposal shall be maintained on property having a sanitary sewage system available; provided, however, that all connections and discharges into a public system shall be in accordance with the rules and regulations of this ordinance and of the municipality operating and maintaining such sewage disposal systems.
- C.** Disposal System Contained on Property

All components of any private sewage disposal system shall be located on the same property as the building it serves. In cases where any portions of a private sewage

disposal system is or must be located on another property due to site limitations, an easement agreement must be executed and recorded with the Recorder of Deeds. Such easement shall designate a defined area and completely contain any and all portions of the private sewage disposal system on the other parcel. Restrictions on activities and access for servicing or repairs within the easement area shall be included in the easement agreement.

The easement shall extend for the life of the private sewage disposal system, and the agreement shall be transferrable to subsequent property owners. If a private sewage disposal system or any portion thereof must be located on another property or parcel that is owned by the same person as the building lot, a legal document, alternative to an easement, shall be executed and filed with the Recorder of Deeds. This document must either:

1. Bind the two parcels to a common owner when either lot is sold in the future, or
2. Require that an easement agreement be executed and recorded if each lot is proposed to have a separate owner.

Either option must meet the same requirements as stated above for an easement agreement.

D. Subdivisions/Parcels/Tracts/Lots

1. When private sewage disposal systems are in use or will be used for any subdivision or re-division of any subdivision, tract, parcel, or lot of land, the Health Authority shall conduct a review of such proposal to ensure that each proposed lot shall be able to contain a private sewage disposal system approved under the provisions of this ordinance. No plat, subdivision, or any changes in lot boundaries shall be approved and recorded unless every proposed lot is considered suitable for an approved private sewage disposal system.
2. In cases when a plat contains an existing structure utilizing a private sewage disposal system, it must be demonstrated that:
 - a) The existing private sewage disposal system will be completely contained within the proposed lot containing the existing structure, and
 - b) There is adequate, suitable area to install an approved replacement private sewage disposal system on the proposed lot containing the existing structure to be served.
3. Subdivisions or other parcels utilizing both private sewage disposal systems and private water supplies shall be zoned (R-1); 1 acre (43,560 Square feet) minimum lot size.
4. R-1 lots shall designate 6,000 square feet of usable area for private sewage disposal systems: 3,000 square foot area for the original subsurface seepage system while maintaining an additional 3,000 square feet for an equally sized replacement system. Designated areas shall be preserved for its original intent.

5. Properties utilizing public water supplies or semi-private water supplies shall be zoned R-2; 15,000 square foot minimum lot size. R-2 lots shall also designate 6,000 square feet of usable area for the original and replacement subsurface seepage systems. Designated areas shall be preserved for its original intent.
6. The original and replacement subsurface seepage systems shall be designed to become alternating systems thus providing long term treatment and disposal of domestic waste water for each lot.
7. Any new subdivisions or re-division of subdivision, tract, parcel or lot of land proposed after August 9, 2014, shall not be approved if any lot will require a private sewage disposal system with a surface discharge of treated effluent that discharge United States Environmental Protection Agency's National Pollutant Discharge Elimination System General Permit No. ILG62.
8. The subdividers/landowners/land surveyors/land developers shall request for a plat review in writing to the Health Authority on such forms as prescribed by the Health Authority. This request must include soil absorption capacities in order for the Health Authority to reasonably ascertain that each lot of said proposed subdivision will be able to support the installation and subsequent use of an approved private sewage disposal system as defined in the Private Sewage Disposal Licensing Act and Code or require changes in the proposed subdivision plat.

SECTION IV. DESIGN AND INSTALLATION

- A.** A private sewage disposal system shall be in an area which shall be maintained so that it is free from encroachment of driveways, accessory buildings, swimming pools, parking areas, buried lawn sprinklers, underground utilities, patios, slabs, additions to the original structure or any structure which limits free access to the system for maintenance, servicing, or proper operation.
- B.** Minimum size: Where a subsurface seepage field is installed as a component of the private sewage disposal system, the seepage area that is provided shall be in accordance with the Private Sewage Disposal Licensing Act and Code. A minimum of two hundred (200) square feet of seepage area shall be provided to exclude subsurface leach field put in to accommodate back wash water from water softeners and hot tub waste.
- C.** Flood Hazard areas: The provisions of this part apply only in duly designated flood hazard areas as identified by Federal Emergency Management Agency National Flood Insurance Program one-hundred year flood elevation maps. All new and replacement private sewage disposal systems shall be designed, located and constructed to

minimize impairment and infiltration of flood waters. No private sewage disposal system shall be located in a flood hazard area unless

1. The requirements of Subparagraph 905.20 (j) (1) of the Private Sewage Disposal Code (77 Ill. Admin. code, Part 905) are met; and
2. Any mechanical or electrical components of the system that are subject to damage by inundation are located no less than one foot above the estimated elevation of the one percent annual probability flood (Hundred year flood plain).

D. Aerobic Treatment Units: All homeowners who have any type of aerobic treatment unit on their property shall have in force at all times, an active service policy through the installation contractor, manufacturer or distributor to perform the required semi-annual inspections and maintenance as well as additional necessary service for as long as the unit is in operation. This record must be transferred from one property owner to another for the same location.

E. All facilities for the human wastes, excreta and liquid sewage shall be so constructed, maintained and operated that there is:

1. No possible access to this system by causes of sickness or sources of disease (i.e. flies, rodents, vectors of disease, persons, domestic pets, etc.)
2. No unlawful pollution of any stream or any body of water or drainage way.
3. Adequate isolation to protect wells or other sources of water supply from possible contamination.
4. Freedom from odor nuisances.

F. All private sewage disposal systems within the limits of Henry County, Illinois, shall be installed and/or serviced by Illinois Private Sewage Disposal System installers and/or servicers; provided, however, a person who owns and occupies a single family dwelling may install, construct, maintain and/or service or clean a private sewage disposal system which serves his own personal single family residence.

SECTION V. COMPLIANCE PROVISIONS

A. PERMITS

1. It shall be unlawful for any person to construct, alter, repair, extend, and enlarge the capacity of any private sewage disposal system or to obtain a building permit from the county or a municipality for the property located within Henry County, Illinois, unless he holds a valid construction permit issued by the Health Authority stating the name of the person for which the construction, alteration, extension or enlargement of the capacity is proposed. Said construction permit shall indicate a maximum permissible waste loading.

2. Any person desiring a permit as required herein shall apply to the Henry County Health Department in writing on forms provided by the Health Department and submitted to the Health Department. The application form must be completed, signed, dated by the applicant (contractor/portable sanitation business) and the owner of the property or event coordinator, to include all required fees.
3. Any application for a new installation, repair or extension of a surface discharging system after the effective date (February 10, 2014) of the United States Environmental Protection Agency (USEPA) National Pollutant Discharge Elimination System (NPDES) Permit No. ILG62 must first have a General Permit (if required) from the USEPA prior to a septic construction permit being issued by Henry County Health Department.
4. A construction permit shall only be issued to a Henry County Registered Private Sewage Installation Contractor or a property owner installing his/her own residential single family private sewage disposal system.
5. The Health Authority shall act upon all applications within seven (7) working days of receipt thereof.
6. Limits of Authority Granted by Construction Permit
 - a) A construction permit, when issued, shall authorize only the specific work described in the construction permit application. The construction permit shall not:
 - i. Authorize any other work;
 - ii. Authorize work at any other location;
 - iii. Authorize construction to be performed by any person/business other than as identified in the application;
 - iv. Authorize construction to be performed in any manner other than as described in the construction permit application; or
 - v. Authorize use of the permitted private sewage disposal system to serve any facility or any use other than as specified in the construction permit application.
7. Said permit to construct is valid for a period of six (6) months from the date of issuance. If construction has not started within this stated time limit, the permit is void.
8. If an approved public sewer system is not available for events or gatherings, portable sanitation businesses or event/gathering coordinators are required to submit an application for a portable sanitation permit to the Henry County Health Department at least five (5) working days prior to the first operating day of the event, or gathering. Permits are only valid for the event dates applied for.

B. REGISTRATION

1. All licensed Private Sewage Disposal Installation Contractors who install, construct, renovate, alter, or extend private sewage disposal systems within Henry County, Illinois, must be registered annually with the Henry County Health Department.
2. All licensed Private Sewage Disposal Pumping contractors pumping, cleaning, transporting and disposing of sewage within Henry County, Illinois, must be registered annually with the Henry County Health Department.
3. All licensed Portable Sanitation businesses operating within Henry County, Illinois, must be registered annually with Henry County Health Department.
4. As a condition of registration, private sewage disposal system installation and pumping contractors agree to submit annually no later than fifteen (15) calendar days from the last day of the calendar year to Henry County Health Department:-
 - a) Pumping log to include the name of the owner, the property address, the gallons pumped, the method of disposal, and the specific location of where the sewage was disposed to include municipal sewage operations or ground application records.
 - b) Inspection logs to include property addresses and dates of inspection, exclusive of findings.
 - c) Service/maintenance logs must include property address and dates with findings of mechanical parts, chlorination compartment, and other applicable component parts of the system. All new and replacement surface discharging USEPA or IEPA permitted systems whose effluent leaves their property or has the potential to leave their property must be in compliance with the terms and conditions of the individual National Pollutant Discharge Elimination System (NPDES) permit and be sampled a minimum of twice a year.

C. The minimum performance standards for private sewage disposal system installers and/or servicers and for a homeowner who installs a private sewage disposal system for his personal residence shall be the same as the minimum performance standards promulgated under authority granted in the current Illinois Private Sewage Disposal Licensing Act and Code.

D. PUMPING, TRANSPORTING and DISPOSAL OF SEWAGE

1. The pumping, storage, transportation, and disposal of all septage shall be handled in accordance with Section 905.170 of the Private Sewage Disposal Licensing Act and Code and in accordance with 40 CFR 503 – Standards for the Use of a Disposal of Sewage Sludge.
2. Notification of disposal sites for sewage disposal must be provided annually and updated when new or additional disposal sites are utilized by the sewage

- pumper. The notification of the disposal sites are to be on forms provided by the Henry County Health Department and must include the county where the sewage is disposed, the township, range, and section; with description to the nearest ¼ section, name and address of the owner of the property, the property address, and purpose for which the disposal site is otherwise used, such as pasture, grain, drops, or timber; the quantity to be disposed of at an approved site or the quantity to be applied to the agricultural land. If the sewage sludge disposal is to be applied to agricultural land, the sewage disposal pumper must provide the Henry County Health Department with a written notice signed by the property owner indicating the consent of the property owner for such application.
3. The sewage pumper must provide the homeowner or business owner with a written notice stating the pumper's business name, address, and telephone number, the specific onsite pumper's name, the size of the septic tank, the condition of the septic tank including the inlet and outlet baffles, the amount of sewage pumped and the location of where the sewage is being disposed.
 4. The disposal of waste from a portable toilet and holding tank must be discharged to a municipal sanitary system, or sludge lagoon or sludge drying bed, incineration device, or sanitary landfill as approved by the Illinois Environmental Protection Agency.

E. PORTABLE SANITATION

1. When an approved public sewer system is not available for events, or gatherings, the Health Authority shall require portable toilets and portable handwashing units. The use of private sewage disposal systems for events larger than what the system was originally designed for, shall also have portable toilets and portable potable handwashing units.
2. The portable toilets and portable handwashing units shall be serviced at a frequency that maintains the units in a sanitary condition and free of odors and according to the Illinois Department of Public Health, Private Sewage Disposal Code, Portable Sanitation.
3. The Health Authority may conduct inspections before and/or during an event, gathering or business sales to ensure compliance. Failure to provide portable sanitation may result in revocation of the Portable Sanitation Permit.

F. FEES: The Henry County Board of Health shall establish permit fees in accordance with Sec:5-25013 of Chapter 55, Act 5 of the Illinois Compiled Statutes and that are reasonable and necessary to provide the services and required activities.

1. The fee schedule shall be available for reviewing and copying by the public and is incorporated herein by reference.
2. Construction Permit fees are non-refundable and non-transferable from property to property or from contractor to contractor that does not work within the same company.

SECTION VI. ENFORCEMENT

- A.** Private Sewage Disposal Systems constructed prior to the effective date of this ordinance shall comply with any provision of this ordinance deemed necessary by the Health Authority.
- B.** The Health Authority is hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this ordinance.
- C.** The Health Authority may refuse to grant a construction permit for the construction, alteration, enlargement, extension, repair, or replacement of a private sewage disposal system if the application is incomplete, and/or the property is not acceptable for the construction, renovation, alteration or extension of a private sewage disposal system or where a public or community sewage disposal system is available. A sewer shall be deemed available when a public sewer line is in place with any street, alley, right-of-way or easement that adjoins or abuts the premises for which the permit is requested, or when the property line for improvement to be served is located within a 200 ft. distance of a public sewer to which a connection is practical and is permitted by the controlling authority for the sewer.
- D.** It shall be the duty of the owner or occupant of a property to give the Health Authority access to the property at reasonable times for purpose of making such inspections as are necessary to determine compliance with the requirements of this ordinance.
- E.** An individual sewage disposal system which has been installed by a property owner for his personal residence shall not be covered or placed in operation until the said installation shall have been inspected and approved by the Health Authority.
- F.** The Health Authority may make inspections during the course of the construction of any individual sewage disposal system, to insure compliance with this ordinance.
- G.** If any property owner who installs his own private sewage disposal system shall backfill any portion of the said system and/or cover the same with earth, cinders, gravel, shale or any other material which will prevent the same from being readily viewed to determine if the said system meets all requirements of the ordinance before being approved by the Health Authority, the Health Authority shall give fifteen (15) calendar days notice in writing to such property owner so violating the provision of the ordinance, to uncover such backfilled or covered portions of the said system.

If, at the end of such fifteen (15) calendar days, the property owner shall not have uncovered the individual sewage disposal system, the construction permit is automatically invalidated and penalty action may be taken, which shall include but not limited to executing a lien against the property.

- H. Any building, structure, area or premise that does not possess adequate sanitary facilities may be declared as unsafe or unfit for human occupancy and may be so tagged by the Health Authority. Any such facility that has been tagged as unsafe or unfit for human occupancy shall be vacated within the time limit specified by the Health Authority. Failure of the property owner to repair the necessary shall result in execution of a lien against the property.
- I. Registration may be denied if the private sewage installation contractor/private sewage pumping contractor/private sewage servicing contractor/portable sanitation business/portable sanitation technician has minimum of three repeat violations of this ordinance within the previous year. These may include but not limited to incomplete application forms, absence of timely notifications, and not submitting completed variance forms in a timely manner.
- J. Registration may be suspended for cause pending its revocation or a hearing relative thereto if, in the opinion of the Health Authority, such action is reasonably necessary to protect the health, safety and welfare of the citizens.

SECTION VII. ISSUANCE OF NOTICE

Whenever the Health Authority determines that a violation of any provision of this ordinance has occurred, the Health Authority shall give notice to the person responsible for such violation. The notice shall:

1. Be in writing.
2. Include a statement of the reasons for issuance of the notice.
3. Allow reasonable time as determined by the Health Authority for performance of any act it required.
4. Be served upon the person responsible for the violation(s); provided that such notice shall have been properly served upon the person responsible for the violation(s) when a copy thereof has been sent by registered or certified mail to his last known address as furnished to the Henry County Health Department, or when he has been served with such notice by any other method authorized by laws of this State.
5. Contain an outline or remedial action which is required to effect compliance with this ordinance.

SECTION VIII. SUSPENSION, REVOCATION OF CONSTRUCTION PERMIT/PERMIT, REGISTRATION CERTIFICATE

For serious or repeated violations of any of the requirements of this ordinance, because of, but not limited to, incompetency, negligence, misrepresentation or for interference with the Health Authority in the performance of his/her duties; the construction permit/permit, installation contractor's registration, private sewage system pumper's registration, may be suspended or revoked after an opportunity for a hearing has been provided by the Health Authority. Prior to such action, the Health Authority shall notify the owner of the property, the contractor, the pumper of the portable sanitation business in writing, stating the reasons for which the construction permit/permit or the Registration Certificate is subject to suspension or revocation and advising that the construction permit/permit/registration certificate shall be suspended/revoked at the end of five (5) calendar days following service of such notice, unless a request for a hearing is filed with the Health Authority, by the holder, within such five (5) calendar day period. A construction Permit/Permit or Registration Certificate may be suspended for a cause pending its revocation or a hearing relative thereto. Revocation will only be used when all other remedies have been exhausted.

SECTION IX. HEARINGS

A. HEARINGS BEFORE THE HEALTH AUTHORITY

Any person affected by order or notices issued by the Health Authority in connection with the enforcement of any section of this ordinance, may file in the office of the Health Authority a written request for a hearing before the Health Authority within five (5) calendar days of receiving the notice. The Health Authority shall hold a hearing at a time and place designated by him within thirty (30) calendar days from the date on which the written request was filed. The petitioner for the hearing shall be notified of the time and place of the hearing not less than five (5) calendar days prior to the date on which the hearing is to be held. If, as a result of the hearing, the Health Authority finds that strict compliance with the order, or notice would cause undue hardship on the petitioner, and that the public health would be adequately protected and substantial justice done by varying or withdrawing the order or notice, the Health Authority may modify or withdraw the order or make requirements which are additional to those prescribed in this ordinance for the purpose of properly protecting the public health. The Health Authority shall render a hearing decision within ten (10) calendar days after the date of the hearing which shall be reduced to writing and placed on file in the office of the Health Authority as a matter of public record. Any person aggrieved by the decision of the Health Authority may seek relief therefrom through a hearing before the Henry County Board of Health.

B. HEARING BEFORE THE BOARD OF HEALTH

Any person aggrieved by the decision of the Health Authority rendered as the result of a hearing held in accordance with this section may file in the office of the Health Authority a written request for a hearing before the Henry County Board of Health. The secretary of the Board of Health shall designate a time and place within thirty (30) calendar days of the date on which the request was filed. The petitioner for the hearing shall be notified of the time and place of the hearing not less than five (5) calendar days prior to the date on which the hearing is to be held. If, as a result of facts elicited as a result of the hearing, the Henry County Board of Health finds that strict compliance with the decision of the Health Authority would cause undue hardship on the petitioner and that the public health would be adequately protected and substantial justice done by granting a variance from the decision of the Administrator or Acting Administrator, the Henry County Board of Health may grant a variance and as a condition for such variance, may, where it deems necessary, make requirements which are additional to those prescribed by this ordinance, all for the purpose of properly protecting the public health. The Henry County Board of Health shall render a decision within ten (10) calendar days after the date of the hearing which shall be reduced to writing and placed on file in the office of the Henry County Health Department, and a copy thereof shall be served on the petitioner personally or by delivery to the petitioner by certified mail.

SECTION X. PENALTY

- A. Any person who violated any provision of this ordinance shall be fined a sum not less than one-hundred dollars (\$100.00) or more than five hundred dollars (\$500.00).
- B. Each day's violation constitutes a separate offense. The State's Attorney of Henry County shall bring such actions in the name of the People of the State of Illinois or may bring action for an injunction to restrain such violation or to enjoin the operation of any such establishment causing such violation.

SECTION XI. CONFLICT OF ORDINANCE, EFFECT OF PARTIAL INVALIDITY

- A. In any case where a provision of this ordinance is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance, or code of Henry County existing on the effective date of this ordinance, the provision which, in the judgment of the Health Authority establishes the higher standard for the promotion and protection of health and safety of the people shall prevail. In any case where a provision of this ordinance is found to be in conflict with a provision of any other ordinance or code of Henry County existing on the effective date of this ordinance shall be deemed to

prevail, and such other ordinances or codes are hereby declared to be repealed to the extent that they may be found in conflict with this ordinance.

- B.** If any section, subsection, paragraph, sentence, clause or phrase of this ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance which shall remain in full force and effect and, to this end, the provisions of this ordinance are hereby declared to be severable.

PASSED AND APPROVED BY THE COUNTY BOARD OF HENRY COUNTY, ILLINOIS AT THEIR REGULAR MEETING HELD ON AUGUST 08, 1975.

REVISED AND APPROVED BY THE COUNTY BOARD ON JULY 10, 1984.

REVISED AND APPROVED BY THE COUNTY BOARD ON OCTOBER 12, 2004.

REVISED AND APPROVED BY THE COUNTY BOARD ON DECEMBER 15, 2016.