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## ORDINANCE NO. 1409-12

AN ORDINANCE AMENDING THE VILLAGE CODE OF THE VILLAGE OF  
HAWTHORN WOODS - TITLE 4, CHAPTER 4-7 – OPEN BURNING; LANDSCAPE WASTE

BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Hawthorn Woods, Lake County, Illinois, as follows:

SECTION ONE: That Title 4, Chapter 4-7 of the Village Code of the Village of Hawthorn Woods, entitled "OPEN BURNING; LANDSCAPE WASTE", is hereby deleted in its entirety and in lieu thereof the following language shall be substituted:

...” Chapter 7

OPEN BURNING; LANDSCAPE WASTE

4-7-1: DEFINITIONS:

4-7-2: OPEN BURNING PROHIBITED:

4-7-3: DUMPING PROHIBITED:

4-7-4: LOCAL BURNING RESTRICTIONS, GUIDELINES AND EXCEPTIONS:

4-7-5: COMPOSTING:

4-7-6: PENALTIES:

4-7-1: DEFINITIONS:

For the purposes of this chapter, the words and terms described herein below shall have the meanings therein given, unless the context otherwise clearly requires:

**AGRICULTURAL WASTE:** Means any refuse, except garbage and dead animals, generated on a farm or ranch by crop and livestock production practices, including but not limited to, such items as bags, cartons, dry bedding, structural materials and landscape wastes.

**AREA OF CONTROLLED BURNING:** Means the area specified on an IEPA and village permit subject to a controlled burning.

**CONTROLLED BURNING:** Means the burning, pursuant to an IEPA permit, of unharvested groundcover or vegetation for the restoration or active management of a prairie or savanna ecosystem.

**DOMICILE WASTE:** Means any refuse generated on single family domiciliary property as a result of domiciliary activities. The term includes, but is not limited to, landscape waste, but excludes garbage and trade waste.

**ECOSYSTEM:** An integrated system of living species, their habitat, and the process that affects them.

**FIRE CHIEF:** Means the chief of the fire protection district or department serving the Village of Hawthorn Woods.

**FIRE DEPARTMENT:** Means the fire protection district or department serving the Village of Hawthorn Woods.

**GARBAGE:** For purposes of this chapter, garbage means refuse resulting from the handling, processing, preparation, cooling, and consumption of food or food products.

**IEPA:** Means the Illinois Environmental Protection Agency.

**LANDSCAPE WASTE:** For purposes of this chapter, the term "landscape waste" means, for the purposes of this section, any and all accumulations of grass clippings, shrubbery and vine cuttings, leaves, trees, tree limbs, stumps, brush, and other materials accumulated from or as the result of the care of lawns, shrubbery, crop residues, vines, trees, and other natural landscaping.

**NATIVE PRAIRIE:** Means a vegetative landscape state that features either preserved or restored grasses and other ecosystems, as they existed prior to agricultural, residential or industrial development in this area.

**NATURAL AREA:** A vegetative landscape state that features either preserved or restored native grasses, native perennials, native trees and/or other native ecosystems.

**OPEN BURNING:** The combustion of any matter in the open or in an open dump.

**TRADE WASTE:** Any refuse resulting from the prosecution of any trade, business, industry, commercial venture, utility or service activity, and any governmental or institutional activity, whether or not for profit. The term includes landscape waste but excludes agricultural waste,.....

#### **4-7-2: OPEN BURNING PROHIBITED:**

Open burning of a grass or wooded plot, landscape waste, domicile waste, herbage, shrubbery, leaves, grass, brush, trimmings from trees, vines, or other bushes, wood, paper, garbage, refuse, waste or other combustible material on any property, public or private, from any source whatsoever, within the village is unlawful and is hereby prohibited, except for recreational, agricultural and natural resource exemptions as found in section 4-7-4 of this chapter. The Village Chief Operating Officer may, in his discretion, upon written request of the owner of property upon which a wetland or prairie is located, authorize a controlled burning permit of such wetland or prairie in conjunction with the maintenance thereof. Such burning shall be in accordance with generally recognized safety procedures for proper control and shall also be subject to such terms and conditions as the state laws and fire department deems appropriate. A request for authorization for a controlled burning of a wetland shall include a wetland assessment report from a qualified wetlands specialist detailing the conditions upon the wetland which necessitate the controlled burning of the wetland. Notwithstanding the foregoing, controlled burnings of the wetland in community park may occur twice a year, upon receipt of the wetland assessment report, without further formal action by the board of trustees.

#### **4-7-3: DUMPING PROHIBITED:**

It shall be unlawful for any person to dump, deposit or place anywhere within the village any landscape waste, with the following exceptions:

- A. Landscape waste which is properly packaged and being kept solely for pick up by one of the scavengers authorized to do business in the village; or
- B. Landscape waste in a compost pile maintained in accordance with section 4-7-5 of this chapter; provided, that such compost pile shall not be located on the property of another or on public property.

**4-7-4: LOCAL BURNING RESTRICTIONS, GUIDELINES AND EXEMPTIONS:**

A. Exceptions to Prohibition of Open Burning: The following instances of open burning shall be permitted, but only under the terms, limitations, and standards set forth in this subsection:

1. Agricultural waste exemption as allowed by law
2. Training activities conducted by the Fire Protection District or Department
3. Areas of controlled burning, such as controlled environmental vegetation burning for the purpose of restoring or nurturing native prairies, natural areas or natural resource ecosystems
4. Outdoor fireplaces, open flame cooking devices, and gas or wood fire pits (portable or permanent) including those purchased through retail providers in accordance with the following standards:
  - a. The burning of wood in outdoor fireplaces and chimneys shall be in a manufactured container or structure that holds fire at the base of a chimney or hearth, is constructed of stone, brick, steel or other noncombustible materials, and is provided with a screen or a spark arrestor above the fire. Smoke may not become a nuisance for adjacent property owners.
  - b. An open flame cooking device shall be a manufactured cooking device used for the preparation of food. All manufacturers' safety recommendations must be followed.
  - c. Each in-ground recreational outdoor fire pit shall be dug into the ground in a manner that will prevent the burn materials from falling out of the pit. The above grade portion of the pit shall be constructed of stone, masonry, metal, or other similar noncombustible materials. The bottom of the pit shall be below grade and shall be comprised of gravel, stone, dirt, or sand. The total open area of the pit shall be no larger than thirty six inches (36") in diameter or seven (7) square feet. The pit shall be surrounded by a noncombustible barrier that is at least six inches (6") above the coals of ash within the pit. A ring of sand, dirt, or other noncombustible material approximately thirty six inches (36") wide shall be provided around the pit to provide separation for combustibles. No plant material shall be allowed within that thirty six inch (36") ring.
  - d. Burn materials for fire pits, barbeques, or cooking devices shall be comprised only of seasoned firewood, charcoal, natural gas, or LPG gas. No burn materials shall extend outside of the fire pit, fireplace or open flame cooking device. No landscape waste materials of any kind shall be burned.
  - e. Every fire shall be located not less than twenty feet (20') from any structure including but not limited to houses, garages, power lines, trellises, balconies, and rails; roads, property lines, trees, streams, ponds, lakes or marshes.
  - f. A fireplace or open flame cooking device may be placed on a combustible deck provided that it shall be placed on noncombustible material not less than one inch (1") thick and having an eighteen inch (18") perimeter around the fireplace or device and located at the furthest distance from any structure, with a minimum distance of ten feet (10') of such structure.
  - g. A means of fire extinguishment and water source must be present and easily accessible during any recreational or prairie burning.
  - h. Every recreational burning pit shall be attended continuously by an adult not less than eighteen (18) years of age.
  - i. All open burning shall be prohibited when wind speed exceeds twenty (20) miles per hour.

j. All open burning, including the use of any fireplace, open flame, cooking device, or fire pit, shall be prohibited at all times between the hours of twelve o'clock (12:00) midnight and seven o'clock (7:00) A.M. every day.

B. Exception For Governmental Agencies: This section shall not apply to the village or to any other governmental agency properly conducting a controlled fire or burn; provided, however, that the fire chief or EPA may impose any condition or limitation on any such controlled fire or burn within the village's corporate limits that the fire chief determines is necessary and appropriate to ensure the public health and safety.

4-7-5: COMPOSTING:

A. Landscape waste materials may be placed in a compost pile; provided, that such materials are placed in such a way as not to allow them to be windblown.

B. The depositing of garbage, pet waste, meat scraps or other materials that may attract animals or vermin to the compost pile or which may provide an obnoxious odor shall be prohibited. A compost pile shall not be placed in any required front yard as defined by the zoning ordinance<sup>1</sup>, and shall be set back a minimum of three feet (3') from the side yard lot line, set back a minimum of five feet (5') from any rear lot line, and shall be located not less than thirty feet (30') from any neighboring residential dwelling structure. In no event shall a compost pile be located in any side or rear yard drainage or utility easement. Further, any such compost pile shall be located not less than twenty five feet (25') from the normal water level mark of any lake, pond or stream. A compost pile shall be no more than five feet (5') in height, and shall not exceed a maximum ground or base area of more than one hundred (100) square feet.

4-7-6: PENALTIES:

Any person violating any provision of this chapter shall be subject to penalty as provided in section 1-4-1 of this code for each offense and a separate offense shall be deemed committed on each day during or on which the violation occurs or continues."

SECTION TWO: That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, superseded by this ordinance.

SECTION THREE: That this Ordinance shall be in full force and effect on January 1, 2013.

The foregoing Ordinance was adopted by a roll call vote as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_

Joseph Mancino, Mayor

ATTEST: \_\_\_\_\_

Donna Lobaito, Village Clerk

PASSED: July 16, 2012

APPROVED: July 16, 2012

PUBLISHED: July 17, 2012

# VILLAGE OF Hawthorn Woods Happenings

ILLINOIS Fall/Winter 2012

2 Lagoon Drive • Hawthorn Woods, IL 60047 • www.vhw.org • (847) 438-5500



- **Election Day**  
Nov. 6
- **Veterans Day**  
Nov. 12  
Village Hall Closed
- **Family Movie Night**  
Nov. 16  
7 p.m.  
"A Christmas Story" (PG)
- **Village Board Meeting**  
Nov. 19
- **Thanksgiving**  
Nov. 22, 23  
Village Hall Closed
- **Craft Fair**  
Nov. 24  
Noon to 4 p.m.  
The Barn at Village Hall
- **Village Tree Lighting**  
Dec. 7  
Santa Arrives at 6 p.m.
- **Christmas**  
Dec. 24, 25  
Village Hall Closed  
(Village Clerk's Office Open Dec. 24 for election filing.)



Are you getting our e-blasts featuring information about special events and Village news?

If not, sign up on our website, [www.vhw.org](http://www.vhw.org). Click the link that looks like the above "Join our Email" graphic.

## Electric Aggregation on Nov. 6 Ballot

As a result of numerous resident inquiries, the Village of Hawthorn Woods Village Board approved a resolution at the July 16, 2012, Village Board meeting to place a referendum on the ballot on November 6, 2012.

### What is Electric Aggregation?

Municipal electric aggregation allows municipalities to pool residential and small commercial retail customers together to seek bids with the objective of securing lower electric rates than the rate paid by ComEd customers that is set by the Illinois Power Agency. By creating these economies of scale, a community can leverage the buying power of thousands of residents and small businesses in an effort to obtain a lower price for the supply of electricity.

There are two main components to electricity: supply and distribution. As a result of deregulation of the electric supply market in Illinois, ComEd no longer generates or supplies electricity, but simply delivers electricity to homes and businesses through its infrastructure and power lines.

With aggregation, a municipality can seek a lower price for the supply of electricity with alternative suppliers; however, ComEd would, by law, continue to distribute electricity to

"Shall the Village of Hawthorn Woods have the authority to arrange for the supply of electricity for its residential and small commercial retail customers who have not opted out of such program?" Yes / No

- November 6 Ballot Question

consumers through its infrastructure.

### What is the process?

In order for the Village to create a municipal aggregation program, a referendum must be approved by a majority of voters. If the referendum is approved, the Village can solicit proposals from suppliers who are licensed by the Illinois Commerce Commission as alternative retail electric suppliers in the State of Illinois. Proposals are reviewed, and the Village determines if and with whom it will enter into an agreement for energy supply. If favorable pricing does not exist, the Village will not enter into an agreement, and accounts would remain at the IPA-set rate at ComEd. Based on the timing of the above process, a Village aggregation program would not become effective until early 2013.

## Fall Family Fun Fest



Canadian National brought "Little Obie," a miniature locomotive with a flat car and caboose, to the fourth annual Fall Family Fun Fest in September to teach children and adults about railroad crossing safety. In addition to Little Obie, the Fall Family Fun Fest included activities for kids, free swimming at the Aquatic Center, Village information booths, police and fire department vehicles and free refreshments. The goal of the festival is to build community and let residents know that Village staff and officials are here to serve.

## Village Launches Weekly E-Blast Newsletter

To increase communication with residents and other stakeholders, the Village launched a weekly e-mail news blast this May. Styled after the Village's website and print newsletter, the goal of the e-blast is to keep residents up to date with Village news and events while also providing "news you can use."

Information in the e-blasts includes Farmers Market and Concert in the Park series information, planned road construction, press releases, Village events and recreation programming, upcoming Village meetings complete with links to the calendar entry on the Village's website, updates from the Police Chief and more.

"We have found this to be an easy, un-

obtrusive and inexpensive way to keep residents in the loop about what is going on in the Village," said Management Analyst David Fitzgerald, who coordinates the e-blasts.

Throughout the summer months, staff has worked to refine the e-blasts and increase the number of subscribers through its opt-in Constant Contact e-mail list.

Since May, the number of subscribers has increased by more than 30 percent, with more than 1,900 registered e-mail recipients in October.

The e-blast is sent out every Thursday. To register, click the "Join Our E-Mail" link on the website, [www.vhw.org](http://www.vhw.org), or text HAWTHORNWOODS to 22828 and follow the reply text prompts.

## New Superintendent Hired in Public Works

The Village welcomed Matthew Bartlett as the new Superintendent of Public Works in July of this year.

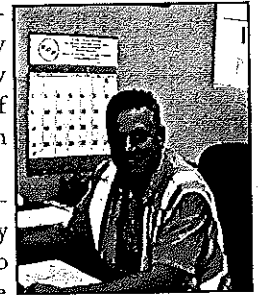
Bartlett, a life-long Lake County resident brings to the Village more than 26 years of hands-on experience in the public works field. This experience has already contributed greatly to the successful day-to-day operation and development of the Hawthorn Woods Public Works Department.

Bartlett has also served as Special Events Coordinator for a multitude of festivals, including one of the largest annual summertime events in Lake County, the Vernon Hills Summer Celebration.

Bartlett's passion for public service is noticed in everything that he does.

When not at work, Bartlett enjoys spending time with Tricia, his wife of 16 years. Whenever possible he loves to vacation in Door County with his family and Black Labrador, Foster. An avid Chicago Blackhawks fan, Bartlett still occasionally hits the ice himself.

He can be reached at (847) 540-5228 or at [mbartlett@vhw.org](mailto:mbartlett@vhw.org).



**Matthew Bartlett**  
Superintendent of  
Public Works

## Fall Yard Waste, Leaf Removal Options Explained

We have enjoyed a beautiful autumn in Hawthorn Woods. The tree colors are brilliant, the mum colors burst with radiant rust, purple and yellow hues. The cool nights are perfect for relaxing with friends and family and getting outdoors before winter sets in.

But autumn is also the time of year when leaves fall from the trees, branches need to be trimmed, garden plantings give up their fruit and wither. In other words, it is time to clean up the yard and prepare for winter.

As many of you already know, this will be the last autumn that outdoor leaf burning will be allowed as Hawthorn Woods complies with the Clean Air Act recommendations in 2013. These regulations will still allow for outdoor cooking, wood or gas fireplaces, and allows for campfire structures and fire pits.

The burning schedule for this fall will be

on Wednesdays and Saturdays between October 17 and November 28 and between the hours of 9 a.m. and 6 p.m. For more information on this ordinance see the Village Code 4-7-4, which can be found at [www.vhw.org](http://www.vhw.org).

Beginning January 1, 2013, leaves and small twigs disposal can take place a number of alternative ways: composting, mulching, having them removed by a landscaper, bagging the leaves and twigs and purchasing a bag sticker and having them removed by Waste Management, or purchasing an unlimited landscape waste removal subscription from Waste Management.

The Village's current contract with Waste Management allows residents to purchase special "Leaf Only" yard waste stickers from the Village at the price of \$2 per sticker during October and November.

As the name implies, these stickers are to be used only for leaf disposal. "Leaf Only" stickers can only be used during the months of October and November. Other yard waste requires the traditional yard waste stickers, which can be purchased at Village Hall for \$3 for one or ten for \$25. Stickers may also be purchased directly from Waste Management by calling 800-796-9696.

Additionally, unlimited yard waste pick up is available through Waste Management for \$110 for one year.

Enjoy this magical season and, as always, should you have any questions about this final opportunity to burn your leaves and twigs, please call the Village Hall at (847)-438-5500.

Please be sure to clear your yards of any brush piles that may exceed the allowable height and size.