

ORDINANCE

Revision to Article II of the Public Health Ordinance (51)

WHEREAS, the current Public Health Ordinance establishes the minimum standards for residential swimming pool barriers, for all residential swimming pools located in McHenry County; and

WHEREAS, every municipality in McHenry County has adopted regulations for the oversight of residential swimming pool barriers within their jurisdiction; and

WHEREAS, the proposed revision will limit the applicability of the Public Health Ordinance to swimming pool barriers for residential swimming pools, located in unincorporated areas, and which continue to be eligible for previously granted pool barrier variances or exemptions; and

WHEREAS, the Board of Health and Public Health and Community Services and Planning, Environment and Development Committees of the County Board have reviewed and recommended the proposed revisions to the Public Health Ordinance.

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois, that it hereby authorizes the adoption of Article II of the McHenry County Public Health Ordinance attached as Exhibit A; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the Public Health Administrator, the Director of Planning & Development, the State's Attorney, and the County Administrator.

DATED at Woodstock, Illinois, this 15th day of July, A.D., 2025.

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk

ORDINANCE

SUBJECT: Revision to Article II of the Public Health Ordinance (51)

Board / Committee Action Requested: To approve the revision to Article II of the Public Health Ordinance.

Background and Discussion: Since the early 1990's the McHenry County Public Health Ordinance established the minimum standards for pool barriers for residential swimming pools in all of McHenry County to prevent the drowning of small children. Staff confirmed that every municipality in the county has adopted regulations regarding residential swimming pool barriers. Approximately ½ of the municipalities have adopted the International Building Code which allows residential swimming pool barrier options that are not allowed in the Public Health Ordinance.

With the proposed revision, the Public Health Ordinance will no longer apply to swimming pool barriers for residential swimming pools located within municipal limits.

Department of Health staff will continue to monitor the pool barriers for residential swimming pools that are located in unincorporated areas, and which continue to be eligible for a variance or exemption.

Department of Planning & Development staff will ensure barrier compliance for any existing residential swimming pool, located in an unincorporated area, which no longer meets the exemption or variance criteria.

The Ordinance revision also includes a correction to reference any penalties related to open burning to the General Provisions in Article I.

Impact on Human Resources: None

Impact on Budget (Revenue; Expenses, Fringe Benefits): None

Impact on Capital Expenditures: None

Impact on Physical Space: None

Impact on Other County Departments or Outside Agencies: Municipalities will assume the responsibility of monitoring a small number of existing swimming pools that were granted an exemption or variance for the pool barrier.

Conformity to Board Ordinances, Policies and Strategic Plan: n/a