**Section 820.610 Ordinance Health Departments**

The Department has the authority to establish ordinance approvals with local health departments belonging to a unit of government that has adopted an ordinance electing to annually license and inspect swimming facilities within its jurisdiction by administering and enforcing the Act and adopting, by reference, this Part.

a) Ordinance health departments shall, at a minimum:

1) Employ an Illinois licensed environmental health practitioner (LEHP) or Licensed Professional Engineer; and

2) Maintain the Department's electronic licensing system as required, or share their existing information with the Department.

b) Units of local government that have adopted an ordinance that complies with the requirements of the Act and this Part shall provide written notice to the Department, including a copy of the ordinance, indicating the unit of local government's authority to perform all required duties, and a statement that the unit of local government meets all of the requirements of the Act and this Part, including the identification of the personnel required pursuant to this Section.

c) If an ordinance health department determines that it cannot perform an inspection under the Act, the Department will perform the inspection. Any applicable fees shall be payable to the Department and the ordinance health department may not charge a fee. Fees shall not be assessed by both the Department and an ordinance health department for the same service or activity.

d) *Not less than once every 3 years the Department shall evaluate each unit of local government's licensing and inspection program to determine whether the program is being operated and enforced in accordance with the Act and this Part.* (Section 27 of the Act)

1) *If the Department finds, after investigation, that the program is not being enforced within the provisions of the Act or this Part, the Director shall give written notice of the findings to the unit of government.* (Section 27 of the Act)

2) *If the Department finds, not less than 30 days after the given notice, that the program is not being conducted and enforced within the provisions of the Act or this Part, the Director shall give written notice to the unit of government that its authority to administer the Act is revoked.* (Section 27 of the Act)

3) *Any unit of government whose authority to administer the Act is revoked may request an administrative hearing as provided in the Act. If the unit of government fails to request a hearing within 15 days after receiving the notice or if, after the hearing, the Director confirms the revocation, all swimming facilities then operating under the unit of government shall be immediately subject to the State licensure fee and inspection program, until such time as the unit of government is again authorized by the Department to administer and enforce the Act.* (Section 27 of the Act)

(Source: Added at 37 Ill. Reg. 16539, effective October 4, 2013)