

# HB5399



## 99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

**HB5399**

by Rep. Michael J. Madigan

### SYNOPSIS AS INTRODUCED:

615 ILCS 90/7.1

from Ch. 19, par. 1208

Amends the Fox Waterway Agency Act. Makes a technical change concerning the Agency's programs.

LRB099 17519 AXK 41877 b

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Fox Waterway Agency Act is amended by  
5 changing Section 7.1 as follows:

6 (615 ILCS 90/7.1) (from Ch. 19, par. 1208)

7 Sec. 7.1. The ~~The~~ Agency shall implement reasonable  
8 programs and adopt necessary and reasonable ordinances and  
9 rules to improve and maintain the Chain O Lakes - Fox River  
10 recreational waterway from the Wisconsin State line to the  
11 Algonquin Dam for the purposes of boating, sailing, canoeing,  
12 swimming, water skiing, rowing, iceboating, fishing, hunting  
13 and other recreational uses, to help prevent or control  
14 flooding of the waterway, to improve recreational uses of the  
15 waterway, to prevent pollution and otherwise improve the  
16 quality of the waterway, to promote tourism, and to create and  
17 administer a procedure for establishing restricted areas. In  
18 the case of a local ordinance relating to the establishment of  
19 restricted areas, speed limits, or other boating restrictions  
20 that is adopted by another unit of local government and  
21 conflicts with an Agency ordinance or rule, the Agency  
22 ordinance or rule shall control even if the conflicting  
23 ordinance is more restrictive, except that municipalities with

1 corporate boundaries that are both adjacent to and at the  
2 southern terminus of the Agency's jurisdiction over the Fox  
3 River shall retain the right to establish reasonable no-wake  
4 zones within their corporate boundaries. The Agency may develop  
5 programs and build projects to minimize pollution in the  
6 watershed from otherwise entering the waterway. Prior to  
7 establishing any restricted area, the Agency shall provide 21  
8 days notice to any municipality in which the proposed area  
9 borders upon or is located. Notice shall be filed with the  
10 Clerk of the municipality. If such a municipality, by  
11 resolution of the corporate authority of the municipality,  
12 files an objection to the establishing of the proposed  
13 restricted area, then that restricted area shall not be  
14 approved except by a favorable vote of two-thirds of the  
15 Chairman and Board of Directors. All Agency programs,  
16 ordinances and rules shall be in conformance with the Rivers,  
17 Lakes, and Streams Act. The Agency shall coordinate efforts of  
18 State, federal and local governments to improve and maintain  
19 the waterway.

20 (Source: P.A. 89-162, eff. 7-19-95.)