

CHAPTER 45
POTABLE WATER

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45.01 **DEFINITIONS**

In addition to the terms defined in Appendix A of this Code and unless otherwise expressly stated or the context clearly indicates a different intention, the following terms have the meanings indicated in this Section 45.01:

Auxiliary Water Supply: Any water source or system on or available to any premises, other than the potable water system of the

Village.

Backflow: The flow of water or other liquids or substances into the distribution pipes of the potable water supply from any source.

Commercial User: Any water user who conducts business from the location where a water meter is installed not including those businesses that are located in an area zoned Residential.

Contamination: An impairment of the quality of the potable water system by entrance of any substance to a degree that could create a health hazard.

Cross-Connection: Any physical connection or arrangement between two otherwise separate piping systems. A direct cross-connection is physically joined to a source of unknown or unsafe substance. An indirect cross-connection is a connection through which any unknown substance can be forced, drawn by vacuum or otherwise induced into the potable water system.

Cross-Connection Control Device: Any IEPA approved assembly intended to prevent backflow into the potable water system.

Customer: The owner, occupant and/or person in possession, charge or control of any premises.

Customer's Water System: All parts of the water service line beginning at the curb stop cock used to convey water from the potable water system to the premises, which facilities are to be operated, controlled or owned by the customer.

Check Valve Assembly: An assembly composed of single, independently acting check valves approved under ASSE Standard 1015.

Department: The Water Division of the Public Works Department of the Village of Lake in the Hills.

Easement: An acquired legal right for specific use of land owned by others.

ECRS: Electronic Communications Register System.

Fee(s): Any charge established by the Board of Trustees for services, consumption or connection to the potable water system

as detailed in Section 45.31.

Ground, Electrical: Connection of an electrical conductor or wire.

Health Hazard: Any condition, device or practice involving a potable water system or its operation resulting in a real or potential danger to a person's health and well-being.

Illinois Plumbing Code: State of Illinois Plumbing Code as amended from time to time.

Inspections: An inspection to examine carefully and critically all materials, fixtures, piping and appurtenances, appliances, and installations of a plumbing system for compliance with the requirements of the Illinois Plumbing Code, County and Village Codes and Ordinances.

Liability: Whenever reference is made to "secure and protect the Village from any liability of damage" it shall mean and include all authorized employees and agents of the Village as well as the Village's elected and appointed officials.

Meter Fee: The charge for one approved water meter assembly.

Meter Reader: Any person designated by the Village with proper identification to enter any premises during normal business hours to inspect and /or record the usage of water on said user's premises.

Pollution: Any foreign substances (organic, inorganic, radiological or biological) in the water that degrades its quality as to constitute a hazard to the health, safety and welfare for the public.

Potable: The quality of water that meets public health standards for drinking water and is suitable for human consumption.

Potable Water System: The entire potable water system controlled, operated or owned by the Village, consisting of boxes, buildings, connections, hydrants, meters, motors, pipes, real property, reservoirs, structures, tanks, taps, valves, water sources, wells and all appurtenances thereto, whereby water is

or may be supplied to the public or to private parties.

Process Fluids: Any fluid or solution that may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, pollution, or system hazard if introduced into the potable water system, a customer's water system or any other potable water system.

Service Connection: The opening, including all fittings and appurtenances, at a water main of the potable water system through which water is supplied to the customer (user).

Superintendent: The appointed head of the Village water system or his/her duly authorized employees or agents.

Survey: The collection of information regarding the location of all connections between a customer's water system and the potable water system which may include the location, type and most recent inspection and test data for cross-connection control devices located within a customer's premises.

Temporary Use: Any use of the potable water system water for construction use for an abbreviated time certain.

Used Water: Any water supplied by the potable water system after it has passed through the service connection.

User: Any person who consumes or uses water from the potable water system.

Water Billing Clerk: As defined by the Village's Job Task Analysis.

Water Meter: A measuring device that meets the standards of the American Waterworks Association (AWWA) for metering the consumption of potable water in whatever configuration approved by the Superintendent of Water.

45.02 **FUNCTION**

The Department shall be charged with the responsibility of operating the potable water system facilities and functions for the Village within the parameters defined by the Board of Trustees and the State of Illinois for public water supplies.

45.03 **SUPERINTENDENT**

There is hereby created the office of Superintendent. The Superintendent shall be appointed by the President, with the advice and consent of the Village Board. The Superintendent shall hold office for a one year term which coincides with the Village's fiscal year and shall serve until a successor has been appointed and qualified. The Superintendent need not be a resident or a qualified elector of the Village. The Superintendent shall possess and maintain a valid Class B or greater license recognized by the State of Illinois for potable water system operation and shall report to the Director of Public Works.

45.04 **BILLING FOR SERVICE**

It shall be the duty of the Water Billing Clerk to render bills for all services performed by the Department at the fee(s) pursuant to Section 45.31 herein.

45.05 **BILLING FOR USE OF THE WATER**

A. A bill shall be rendered for the use of the potable water system quarterly (four times a year) for all residential customers, at the rate pursuant to Section 45.31 herein.

B. The water bill shall contain the following information:

1. The address for which service was rendered;
2. The account number of said address;
3. The dates for which service is being billed;
4. The billing date;
5. Meter reading;
6. Net amount due with date due; and
7. Gross amount due (Net amount due plus a 20 percent late payment penalty) with date due.

C. The water bill shall contain the following statements:

1. Service will be discontinued if bill remains unpaid after 41 calendar days from billing date shown.
2. Failure to receive bill does not exempt customer from late payment penalty.
3. The customer is responsible in case of damage to meter and will be billed for its repair. No deduction will be made for leakage after water has passed through meter.
4. Please notify the Department when moving so the meter may be read for your final bill.

D. Customers classified as commercial users, as deemed by the Superintendent of Water, shall be rendered a bill monthly for the use of the potable water system at the rates pursuant to Section 45.31 herein.

E. All multiple family dwellings or townhouse buildings owned by one owner or association will utilize a building meter. A single bill will be rendered monthly to the owner or association for use of the potable water system at the rates pursuant Section 45.31 herein.

F. Any residential townhouse unit individually owned shall have its own meter and shall be rendered a bill quarterly (four times a year) for use of the potable water system at the rates pursuant to Section 45.31 herein.

G. Temporary and bulk services may be provided during construction. All temporary and bulk services shall be taken from locations to be determined by the Superintendent of Water and will be billed at the rates pursuant to Section 45.31 herein.

H. No water service may be resold or distributed by the user thereof from the potable water supply to any premises other than that for which the application has been made and the meter installed, except in a case of emergency as determined by the Superintendent of Water.

I. The renting of premises with the cost of water service

included in the rental is not held to be the resale of water service.

J. The owner of the premises shall be liable to pay for any services on such premises and the services furnished to the premises.

45.06 **DISTRIBUTION OF REVENUES**

A. WATER OPERATION AND MAINTENANCE FUND (WATER O&M): All user fees, meter inspection charges, meter fees, fines and other miscellaneous charges collected by the Department shall be credited to the Department Operation and Maintenance Fund.

B. WATER CAPITAL IMPROVEMENT FUND: All tap-in fees collected by the Department shall be credited to the Department Capital Improvement Fund.

C. INVESTMENTS: Money remaining in any of the accounts created by this Chapter 45 shall, by resolution of the Corporate Authorities, be invested from time to time in any type of investment as authorized in the Village Investment Policy.

45.07 **ACCOUNTS**

The Treasurer shall establish a proper system of accounts and keep proper books, records and accounts in which complete and correct entries are made of all transactions relative to the Department. At regular annual intervals an audit of the books will be done by an independent auditing concern to show the receipts and disbursements of the Department. These accounts shall be separate from all other Village accounts.

45.08 **FILING REGULATIONS**

A copy of the provisions of this Chapter 45 relating to water service charges shall be filed in the office of the Clerk and considered notice to all owners of real estate of their liability for service supplied to any user of the potable water system of the Village on their properties.

45.09 **LIENS AND DELINQUENT CHARGES**

A. GROSS CHARGE: All bills for use of the potable water

system shall be rendered as of the first day of the month succeeding the period for the time the service is billed, or as soon thereafter as possible, and shall be payable not later than the close of business on the 21st calendar day after the bills are rendered.

A penalty of 20 percent shall be added to each bill not paid within 21 calendar days after the rendition of the water bills. Such penalty will be waived in the event all of the following conditions are met:

1. A written request for such waiver must be presented to the Department; and
2. Such written request must be received by the due date of the customer's next bill; and
3. The customer has displayed a good payment history during the preceding 24 months. A good payment history shall be defined as having a) no penalties posted to the account, and b) no penalty waivers requested for the account during the preceding 24 months and c) no returned checks associated with the account.

B. DECLARATION: In the event the charges for service including any penalty then due are not fully paid within 41 calendar days after the rendition of the bill for service, such charges and penalty shall be deemed and are hereby declared to be delinquent, and thereafter, the Village may file a lien claim with the McHenry County Recorder of Deeds. This statement of lien claim shall include the legal description of the property to which service was provided, the amount of the unpaid service charges and penalties, and all charges subsequent to the period for which the bill was rendered. A lien recording fee of \$50.00 shall be assessed to cover the costs of recording the lien.

45.10 **TERMINATION PROCEDURE FOR NONPAYMENT OF BILL**

A. In the event the charges for service are not fully paid by the due date, which will usually be the 21st day of each month unless that date is a weekend or holiday in which case the due date will be the next business day after the 21st. The Department shall send a reminder/termination notice to the owner and/or occupant of the premises.

The reminder/termination notice shall include, at minimum, the following information:

1. The date the reminder/termination notice was issued.
2. The amount of the net charge, penalty charge and the current balance due.
3. The date when service will be disconnected. The date will be computed to be a minimum of 41 calendar days from when the bill was rendered.

B. In the event the service and penalty charges are not fully paid within 31 calendar days, the Department shall send a second reminder/termination of service notice to the owner/occupant of the premise via the United States Postal Service at the billing address. Said notice shall contain, at minimum, the following information:

1. Address
2. This is to notify you that your water will be shut off.
3. Disconnection date
4. Reason for Termination of Service
5. When water service is disconnected, a notice shall be placed on the building declaring it as "unfit for human occupancy." Service will be reinstated upon verification of the meter reading by Village Personnel and:

_____ Payment of full delinquent charges.

_____ Payment of a deposit of \$75.00.

_____ Payment of the costs of termination (actual cost) and reinstatement (\$50.00 minimum).

_____ Meter reading from inside the building is received and verified by Public Works Department.

6. The Village assumes no responsibility for what may happen as the result of turn off.

Lake in the Hills Water Division of the
Public Works Department
600 Harvest Gate
847/960-7430

C. In the event the charges are not fully paid within 41 calendar days of the rendition of the bill for service the Department shall:

1. Terminate the water service at the curb stop cock. The Department may also remove the water meter if deemed necessary for the protection of the meter.
2. A notice shall be placed on the building declaring it as unfit for human occupancy.

D. When work is performed by the Village on a customer's water system during the course of terminating service for nonpayment of bill, the Village will not restore landscaping.

E. The Village assumes no responsibility for what may happen as the result of water turn-off.

F. Failure to receive the second reminder/termination of service notice does not exempt the customer from termination of service.

45.11 **REINSTATEMENT OF SERVICE**

A. Service will be reinstated during Department's normal working hours and upon verification of the meter reading by Department personnel and:

1. Payment of the full amount of delinquent charges;
2. Payment of the deposit pursuant to Section 45.10 herein;
3. Payment of a reinstatement fee of:

- a. \$50.00 for the first termination event.
 - b. \$100.00 for each termination event that occurs within eight billing cycles of the first termination event.
4. Payment of termination costs. These costs include, but are not limited to, the cost of filing for liens, labor, equipment and material costs.

B. The owner shall continue to pay the charges assessed by the Department thereafter as bills, and after 24 months of prompt payment of such charges with no termination, the deposit shall be credited to the account of the person having made such deposit, without interest.

C. Upon payment of the fees and reinstatement of service, the Village shall remove the notice declaring the building as "unfit for human occupancy" from the building and the building shall, so far as water service is concerned, be "fit for human occupancy."

45.12 **POWERS AND AUTHORITY OF INSPECTORS**

A. The Superintendent, and other duly authorized employees or agents of the Village bearing Village identification, shall be permitted to enter all premises at reasonable times for the purpose of inspection, observation, measurement, sampling and testing pursuant to the provisions of this Chapter 45.

B. The Superintendent, and other duly authorized employees or agents of the Village bearing Village identification, shall be permitted to enter all private premises through which the Village holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement sampling, repair and maintenance of any portion of the water facilities lying within easement. All entry and subsequent work, if any, on any easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

45.13 **POTABLE WATER SYSTEM**

The regulations of this chapter govern every user of the Village potable water system and shall be part of the contract between

the Village and every user. It is the duty of the Superintendent to enforce these regulations.

45.14 APPLICATION FOR SERVICE; ESTABLISHMENT OF CREDIT

Water service shall be extended only to the legal owners of said property and upon proper application for said service. No existing service shall be deemed transferable without a new application being submitted to the Village and payment in full of all charges and fees assessed to the existing account. It is incumbent upon the legal owners of said property to inform the Department of the date of sale of said property in order for the Department to obtain a final water meter reading for the purpose of final billing.

45.15 SHUTTING OFF WATER

In case of making repairs or alterations or construction of new facilities or for any other reason, the Village reserves the right to shut off the water at once and keep it off as long as may be necessary by giving reasonable notice to affected users.

No claim shall be made against the Village by reason of the above or by reason of the breakage or failure of any pump, or other portion of the potable water system.

45.16 LIMITATIONS OF USE OF WATER

A. CONSERVATION OF WATER: The outside use of water is hereby restricted. On even-numbered days of the month those users who have an even-numbered street address may use water for outside purposes; those users who have an odd-numbered street address are prohibited from using water for outside purposes on even-numbered days. On odd-numbered days of the month those users who have an odd-numbered street address may use water for outside purposes; those users who have an even-numbered street address are prohibited from using water for outside purposes on odd-numbered days.

B. EMERGENCY WATER USE RESTRICTIONS: Whenever in the judgment of the President, or the certified operator in charge of the potable water system, a public emergency may require it, s/he shall have the right and authority by proclamation to limit in respect to time, or wholly suspend or prohibit for as long as the emergency shall, in his/her judgment require, the use of water for any nonessential purpose, and no person shall use or

draw water in violation of any such proclamation.

C. PENALTY: Any person, firm or corporation violating this Section 45.16 shall be fined not less than \$50.00 and no more than \$750.00 and be responsible for the Village's cost of prosecution, including attorney fees. Each day that a violation continues shall be considered a separate offense. In addition, the Village reserves the right to discontinue water service to any premises until the violation is corrected.

45.17 METERS REQUIRED

A. All premises using the potable water system shall be equipped with an approved adequate water meter. All meters and metering configurations shall be of a type approved by the Superintendent, and shall be compatible with the Village water system and shall have touch pads mounted in an area approved by the Superintendent. Meters shall be calibrated in cubic feet.

B. The cost of meter assemblies one inch or smaller shall be termed "the meter fee" and shall be paid at the time an application is made for new water service by the user. Meter assemblies one inch or smaller shall be furnished by the Village and shall remain the property of the Village. Meters larger than one inch shall be provided by the user, shall be inspected and approved by the Village, but shall remain the property of the user.

C. Meter fees shall be established from time to time by the Village Board, and shall be sufficient to include the cost of the meter assembly. Meter fees shall not be refundable.

D. Meters that are the property of the Village shall be maintained, repaired or replaced by the Village at no cost to the user except as provided in this Section 45.17 and Section 45.19 herein. The Village shall be responsible for meter assemblies, provided the failure of the meter is not attributable to misuse by the user. Meters owned by the user shall be purchased, installed and maintained by the user at no cost to the Village. A user shall be required to maintain the accuracy of the user's meter within three percent, plus or minus, the meter's original accuracy.

E. Testing of Meters: Any Village water meter one inch or smaller may be removed and tested on complaint by a customer for a fee of \$100.00 payable in advance of the test.. If the

certified test shows the meter is not within plus or minus two percent of being accurate, it shall be repaired and the \$ \$100.00 fee will be refunded to the customer.

F. Testing and verification of accuracy of meters larger than one inch shall be the sole responsibility of the owner/user and shall be performed as requested by the Superintendent by a Village approved test or repair facility. The owner/user shall supply the Village with a report of the results of the testing.

G. Building electrical system grounding, where connected to a metal underground water pipe as required and regulated by the National Electrical Code as amended from time to time, shall be connected on the street side of the water meter.

45.18 **READING/ACCESSING METERS**

A. The Superintendent may read or cause to be read every water meter installed in the Village at such times as deemed necessary, however users in multi-family buildings with one common reader, businesses and users deemed "heavy users" by the Superintendent shall be read monthly.

B. Upon the Village's hanging a notice of request to gain entry to the premises, the owner and/or user shall have a period of five days to contact the Village to make arrangements to allow Village employees in for the purpose of reading, repairing or maintaining the meter and/or meter assemblies. Such entry must be permitted within 10 days of hanging the notice upon such premises. If there is no response within five days, the Village shall hang a second notice again giving the owner and/or user a period of five days to contact the Village and make arrangements for entry. If such an appointment is not made within the 10 days of the first notice, the Village shall have the right to terminate water service to the premises. No water shall be turned back on when turned off under this Section 45.18 until the Village has been given access to the meter and/or meter assemblies and paying the reinstatement of service fee.

45.19 **ACCESS TO EQUIPMENT**

No person shall in any manner obstruct access to any check valve, flow control or measuring device, hydrant, manhole, meter stopcock, valve or appurtenances necessary to the maintenance, monitoring or operation of the potable water system. If, in the judgment of the Superintendent, an emergency exists whereby the

potable water system is threatened, the Superintendent shall have the right to enter the premises of any customer and may immediately, without any notice, discontinue water service to that customer's premises.

45.20 DAMAGE TO EQUIPMENT OR PROPERTY

No person shall break, damage, deface, destroy, disconnect, tamper with, cover or uncover any appurtenance, equipment, property or structure of the potable water system. No unauthorized person shall repair, replace, remove or operate any appurtenance, equipment or property of the potable water system and/or its facilities. Any person(s) violating this Section 45.20 shall be subject to arrest under charges of disorderly conduct and, in addition to any fines levied, shall pay the cost of both labor and materials required to restore the equipment to acceptable operating condition.

45.21 PRIVATE WATER SUPPLY

A. Whenever a public water main is not available pursuant to this Section 45.21, the building service pipe shall be connected to a private water supply complying with the provisions of this Chapter 45.

B. Private water supply shall not be used for domestic purposes for any building to be occupied when a public water main is located on any abutting easement or right of way.

C. The owner/operator of all buildings, properties or structures situated within the Village abutting any alley, easement, right-of-way or street of which will have a public water supply main located on any abutting easement or right of way is required to make a connection to the potable water system in accordance with the provisions of this Chapter 45 within 90 days after date of official notice to do so. Any and all expenses to connect to the public water main shall be totally the owners expense. At such time as the connection is made to the potable water system the use of any private supply is prohibited.

D. The owner/operator shall maintain and operate the private water supply system at all times in compliance with the IEPA and McHenry County Health Department standards at no expense to the Village.

E. Before construction or abandonment of a private water supply system within the Village, the owner shall first obtain a permit from the McHenry County Health Department, the Village Building Commissioner and the Superintendent. A permit for construction/abandonment and inspection fees shall be paid to the Collector in such amount as shall be established by the Village Board from time to time. No permit shall be issued by the Village without proof of possession of a valid McHenry County permit for the specific private water supply.

45.22 TAPPING WATER MAINS

A. No person shall make connection to the potable water system of the Village without the approval of the Superintendent.

B. The application for connection to the potable water system shall fully state all purposes for which water services is requested and be approved by the Superintendent. Any misrepresentation on the part of the applicant or subsequent user shall be cause to discontinue water service to the premises immediately and forfeiture of any tap-in or connection fees paid.

C. No permit for connection or tap will be issued until applicant:

1. Pays the connection fee pursuant to Section 45.31 herein.
2. Pays the meter assembly and inspection fees pursuant to Section 45.31 herein.
3. Agrees to provide the plumbing inspector a minimum of 48 hours notice prior to the start of installing the service tap.
4. Agrees to pay a deposit for special inspections by the Superintendent or Village Engineer if deemed necessary by the Superintendent.
5. Certifies all materials used for and the method of installing the connection or tap will be in conformance with specifications established by the Village Engineer.

6. Agrees to conform to all regulations of the Illinois Plumbing Code and OSHA safety regulations.
7. Provides the Clerk and/or Collector with proof of liability insurance, in the amount of \$1,000,000 issued by an insurance firm licensed to conduct business in the State of Illinois, to protect and secure the Village from any liability or damage whatsoever for damages and/or injury (including death) to any person or property.
8. Proof of residency or contractor's license.

45.23 **WATER SERVICE CONNECTION**

The opening at the water main, to and including the curb stop, shall be located in a public street, right-of-way or easement. However, the curb stop box shall not be located in any sidewalk, driveway or street. The fittings, pipes, valves and appurtenances for the water service shall conform to the specifications determined by the Superintendent. The water service connection assembly from the main, to and including the curb stop cock, shall become the property of and be maintained by the Village.

45.24 **CUSTOMER'S WATER SERVICE SYSTEM**

The customer's service connection from the curb stop cock to the building shall be the same size and material as the water connection service pipe. The customer's service connection pipe shall be installed at the user's expense by an Illinois licensed plumber and be inspected by the plumbing inspector before it is covered. It shall be the responsibility of the user to maintain the customer's connection service from the curb stop to the building or structure.

If the user fails to properly maintain the customer's connection service, the Superintendent shall have the authority to enter onto the user's property to maintain or repair the customer's service connection or shut the water off at the curb stop cock until proper maintenance is completed by the user. All expenses, including a 25 percent administrative surcharge in addition to equipment, labor and material cost used to rectify the unacceptable condition, will be billed to the user on, but not later than, the next regular water bill to the user. When

work is performed by the Village on a customer's water system, the Village will not restore landscaping, fencing, buildings or any other property that may sustain damage during the course of the scope of work performed due to circumstances outlined hereinabove.

45.25 SEPARATE SERVICE REQUIRED

A separate water service shall be required where a building contains more than one commercial or industrial user or combination thereof. A separate water service shall be required where a building contains more than one residential user unless otherwise approved by the Superintendent.

45.26 DISCONTINUING/RECONNECTING WATER SERVICE

A. Persons wishing to discontinue/reconnect water service in a building used seasonally shall advise the Department Clerk of the termination/reconnection date. Failure to request disconnection shall result in normal charges being assessed the user for use of the potable water system. Requested times and dates made for discontinuing/reconnecting water service must fall during normal working hours of the Public Works Department.

B. Any customer wishing to discontinue water service to any premises shall give written notice to the Department. All water service used until the final reading must be paid in full at the time of discontinuing service.

C. Any customer requesting temporary discontinuance of service to facilitate repairs to the customer's service system will be charged pursuant to the rate in Section 45.31 herein for after hours service calls.

D. Neither the Village, the Superintendent nor their agents or assigns shall be liable to any customer of the potable water system for any injury, damage or lost revenue that may result from the termination of a customer's water supply, whether such termination was with or without notice.

45.27 RESTORATION OF WATER SERVICE

Water service that has been denied, discontinued or terminated for due cause shall not be restored until the customer has made application pursuant to Section 45.15 herein or corrected or

eliminated any conditions or defects to the customer's water system to the satisfaction of the Superintendent and paid the reconnection fee pursuant to Sections 45.11 and 45.31 herein.

45.28 FIRE HYDRANTS

A. All fire hydrants installed in the Village for the purpose of providing water to extinguish fires shall be approved by the Superintendent and meet minimum AWWA standards.

B. All fire hydrants in the Village are the property of the Village. No person shall, other than the members of the appropriate fire protection district in the course of their duties, draw water from a Village fire hydrant without the express permission of the Superintendent.

C. No person shall obstruct the access to any fire hydrant, sprinkler valve or fire suppression control device. Obstructions observed shall be removed by the Village or appropriate fire protection district representatives with the cost of removal assessed to the owner of the premises.

D. Any person tampering with, damaging or defacing a fire hydrant, sprinkler valve or fire suppression control device shall be charged with a misdemeanor and be liable for restitution for repair or replacement of the damaged equipment.

E. Any violation of this Section 45.28 shall be punishable by a fine up to \$500.00 for each violation. Each 24 hour period a violation continues shall be considered a separate violation.

45.29 EXTENSION OF PUBLIC WATER MAINS

A. No person shall uncover, make any connection with or opening into, use, alter or disturb any public water main without permission of the Superintendent and receiving the approval of the Village Board if an extension is requested.

B. Persons desiring extension of water facilities shall file with the Village:

1. Detailed plans and specifications prepared by a Registered Professional Engineer; two copies of these plans to be forwarded to Public Works;
2. A completed IEPA permit application, accompanied

with required IEPA supporting documentation, ready for Village signature; and

3. A detailed estimate of cost of the extension(s).

C. After approval of the plans and specifications by the Public Works Department, Village Engineer and the Village Board, and the receipt of an IEPA permit for the extension(s), the person(s) shall submit to the Village the following items prior to beginning construction:

1. A letter of credit in the amount of 125 percent of the estimated cost, as approved by the Department and the Village Engineer, of the extension(s) project; the format as approved by Public Works, Village Engineer and acceptable to the Village.
2. Letters of credit will be reduced or released on the recommendations of the Department and the Village Engineer only by Village Board action upon acceptance of the portion of the project completed at the time the request is made and the posting of a Letter of Credit in the amount determined by the Village Engineer to correct any restoration work that may be required for a two-year period after the completion of the project.
3. Copies of all permits required from other regulatory agencies, utilities or governmental units affected by the project must be submitted to the Village prior to commencing work.
4. Certificates of insurance protecting the Village, its employees, and appointed and elected officials from any liability or damage claims whatsoever from injury (including death) to any person or damage to any property; the insurance company shall have an "A" rating and licensed to conduct business in the State of Illinois.
5. The person(s) extending or expanding water facilities shall agree to pay all plan review fees incurred by the Village to the Collector prior to commencing work on any water facilities extension.

6. Letters of credit will not be considered for reduction or release by the Village Board until:
 - a. All items on the Department and the Village Engineer punch lists have been addressed to the satisfaction of the Public Works Department and the Village Engineer.
 - b. As-built drawings, one reproductive set of mylars, three sets of prints and one set of microfiche are submitted to the Public Work Department.
 - c. Copies of all tests required by the Superintendent and the Village Engineer are provided.
 - d. Release of all permits relating to the job from other governmental units, utilities, etc., are received by the Village.

D. Any new addition to the potable water supply shall not be used or operated by the Village until an IEPA operating permit for said addition, if required, is received by the Village.

45.30 **BACKFLOW PREVENTION**

A. All plumbing installed within the Village shall be installed in accordance with the Illinois Plumbing Code as amended from time to time. That, if in accordance with the Illinois Plumbing Code or in the judgment of the Superintendent, an approved backflow prevention device is necessary for the safety of the potable water system, the Superintendent shall give notice to the customer to install such an approved device immediately. The customer shall, at his own expense, install such an approved device at a location and in a manner in accordance with the Illinois Plumbing Code, IEPA and all applicable local regulations, and shall have inspections and tests made of such approved devices upon installation and as required by the Illinois Plumbing Code, IEPA and local regulations.

B. No person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained

any connection whereby a private, auxiliary or emergency water supply other than the regular Village potable water supply may enter the supply or distribution system of the Village, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Superintendent and the IEPA.

C. The Superintendent shall cause surveys and investigations of industrial and other properties served by the potable water system to determine whether actual or potential hazards to the potable water system may exist. Such surveys and investigations shall be made a matter of public record and be repeated at least every two years, or as often as the Superintendent shall deem necessary. Records of such surveys shall be maintained and available for review for a period of at least five years.

D. The approved cross-connection control device inspector shall have the right to enter at any reasonable time any property served by a connection to the Village potable water system for the purpose of verifying the presence or absence of cross-connections, and that the Superintendent shall have the right to enter at any reasonable time any property served by a connection to the Village potable water system for the purpose of verifying information submitted by the customer regarding the required cross-connection control inspection. On demand the owner, lessee or occupant of any property so served shall furnish to the Superintendent any information which he/she may request regarding the piping system or systems or water use on such property. The refusal of such information, when demanded, shall, within the discretion of the Superintendent, be deemed evidence of the presence of improper connections as provided in this Chapter 45.

E. The Superintendent is hereby authorized and directed to discontinue, with five days notice by regular mail to the owner and by hand-tagging the front or the rear door of the building, premise or housing unit thereof, the water service to any property wherein any connection in violation of the provisions of this Section 45.30 is known to exist, and to take such other precautionary measures as he/she may deem necessary to eliminate any danger of contamination of the potable water system. Water service to such property shall not be restored until such conditions have been eliminated or corrected in compliance with the provisions of this Chapter 45, and until a reconnection fee of \$250.00 is paid to the Village. Immediate disconnection without notice to any party can be effected to prevent actual or antici-

pated contamination or pollution of the potable water system, provided that, in the reasonable opinion of the Superintendent or the IEPA, such action is required to prevent actual or potential contamination or pollution of the potable water system. Neither the IEPA, the Superintendent or its agents or assigns shall be liable to any customer for any injury, damages or lost revenues which may result from termination of said customer's water supply pursuant to the terms of this Chapter 45, whether or not said termination was with or without notice.

F. The customer responsible for back-siphoned or back-pressured material or contamination through backflow, if contamination of the potable water system occurs through an illegal cross-connection of an improperly installed, maintained or repaired device, or a device which has been bypassed, must bear the cost of clean-up of the potable water system.

G. Additional rules and regulations and standards of the Department can be found in Chapter 16 of this Code and are on file in the offices of the Department and Clerk. These regulations detail the procedures and requirements of the Village.

H. Any violation of this Section 45.30 shall be punishable by a fine up to \$500.00 for each violation. Each 24 hour period shall be considered a separate violation.

45.31 **FEES**

The following fees and charges, in addition to and supplementing those previously described herein, be and are hereby established for use and services of the Department facilities:

A. QUARTERLY BILLING PERIODS: For any usage up to 800 cubic feet per quarterly billing period the charge shall not be less than \$ \$32.70. Any usage over 800 cubic feet per quarterly billing period shall be charged at a rate of \$2.53 per 100 cubic feet.

B. MONTHLY BILLING PERIODS: For any usage up to 267 cubic feet per monthly billing period, the charge shall be not less than \$10.90. Any usage over 267 cubic feet per monthly billing period shall be charged at a rate of \$2.53 per 100 cubic feet.

C. Each water account will be assessed a watermain replacement fee of \$4.00 each quarterly billing or \$1.34 per monthly billing period.

D. Metered water supplied outside the corporate limits of the Village shall be 150 percent of the charges set forth in Subsection 45.31-A, and 45.31-C and 45.31-B herein.

E. CONSTRUCTION WATER: Temporary service fees shall be \$25.00.

F. METER CHARGE: Up to and including one-inch meters, \$660.00. The meter charge must be paid at time of application for service.

G. METER INSPECTION/REINSPECTION FEES: \$100.00 per unit.

H. Water tap-in fees to be charged for connecting onto the potable water system are as follows and must be paid at the time of application for service:

1. Single-family equivalent dwelling unit including townhouses \$11,890.00 per unit.
2. Multiple-family dwelling units:
 - a. One bedroom unit, \$6,600.00 per unit.
 - b. Two bedroom unit, \$9,880.00 per unit.
 - c. Three bedrooms or more unit, \$11,890.00 per unit.
3. The Village Engineer shall review the water service size for commercial, industrial and multiple dwelling units and advise the Building and Zoning Division of the Community Development Department and Department as to the water service size required. The cost of the Engineer's review shall be charged to the customer and must be paid prior to occupancy of the building. The Tap-in fees shall be as follows:

1" Connection	\$11,890.00
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1 ¼" Connection	\$16,900.00
1 ½" Connection	\$23,000.00
2" Connection	\$34,910.00
3" Connection	\$68,310.00
4" Connection	\$174,580.00
6" Connection	\$269,810.00
8" Connection	\$348,750.00

4. Fire service connection fees will be established by the Village Engineer.
5. Reconnection fee for cross-connection violations shall be \$250.00.

I. Holiday and after hours service call fees not determined to be emergencies by the Superintendent will be billed at the rate of \$75.00 per hour plus support equipment.

J. HYDRANT METER USE FEE: Hydrant meter use hours are 8:00 am to 3:00 pm Monday through Friday. Hydrant meter use available only during the Department's normal business hours.

1. 5/8 inch meter assembly: \$50 for each day of use, plus the cost of water used based on current rates.
2. 2 inch meter assembly: \$200 for each day of use, plus the cost of water used based on current rates.

K. RETURNED CHECK FEE: Any account for which a check is returned to the Village by the financial institution in which it was deposited shall be assessed a returned check fee to cover the labor and material costs required to research the origin of the returned check, record the transaction and provide notification of the returned check to the property owner and/or occupant.

1. If the Village is notified of the returned check by the property owner or tenant prior to

receiving the check back from the financial institution, then the returned check fee shall be \$5.00 per returned check.

2. If the Village is not notified of the returned check by the property owner or tenant prior to receiving the check back from the financial institution, then the returned check fee shall be \$25.00 per returned check.

L. **COLLECTION FEES:** In addition to filing lien claims for delinquent charges pursuant to Section 45.09 herein, the Village may also turn the delinquent account over to a collection agency to secure payment in full amount of all delinquent charges and fees. All collection fees including but not limited to the collection agency fee and attorney's costs will be assessed to the account and must be paid in full before the account will be removed from delinquent status.

45.32 SOD INSTALLATION, SPRINKLING OF STREETS AND SIDEWALKS

A. Sod shall not be laid on more than 100 square feet of property per subdivided lot within any period under elevated outside water usage restrictions.

B. No person shall cause water from the Village potable water system to be used for the sprinkling of streets or sidewalks during any period under elevated outside water usage restrictions.

C. Before any sod is laid on more than 100 square feet of property per subdivided lot within any 30-day period, a permit shall be obtained from the Department. The Village shall have the right to refuse the issuance of a sod installation permit if the Superintendent deems it in the best interest of the Village. Said permit shall be at no charge.

D. At the concurrence of the Director of Public Works and Administrator, the provisions in Sections 45.33-A, B and C of this Code may be waived.

E. Any person, firm or corporation violating any portion of this Section 45.33 shall be fined not less than \$50.00 nor more than \$500.00 for each offense. Each day a violation exists shall be considered a separate violation.

45.33 PENALTY

Any person, firm or corporation violating any section of Chapter 45 shall be fined not more than \$1,000.00 plus the Village's cost of prosecution. Each day that a violation continues shall be considered a separate offense. In addition, the Village reserves the right to discontinue water service to any premises until the violation is corrected.

Amended Section 45.31, January 23, 2003

Amended Section 45.11, 45.14 and 45.31, April 10, 2003

Amended Section 45.31, November 13, 2003

Amended Section 45.31, December 11, 2003

Amended Section 45.31, November 11, 2004

Amended Section 45.03, 45.21 and 45.31 December 9, 2004

Amended Section 45.01,45.03,45.05,45.09,45.10&45.11 May 26, 2005

Amended Section 45.31, October 27, 2005

Amended Section 45.31, December 8, 2005

Amended Section 45.31, 45.32, December 14, 2006

Amended Section 45.31 December 13, 2007