

AN ORDINANCE, ORIGINALLY ADOPTED MAY 29, 1991, REGULATING THE WATER SUPPLY SYSTEM OF THE SOUTH PALOS TOWNSHIP SANITARY DISTRICT, COOK COUNTY, ILLINOIS (AS AMENDED THROUGH JULY 1, 2018)

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REGULATING THE WATER SUPPLY SYSTEM OF THE
SOUTH PALOS TOWNSHIP SANITARY DISTRICT, COOK COUNTY, ILLINOIS**

ARTICLE I – GENERAL

SECTION 1: DEFINITIONS.

Whenever the following words or terms are used in this Ordinance, they shall have the meanings herein ascribed to them:

- A. B-BOX: The shut-off valve at the point at which water leaves the District's Water Supply System and enters the consumer's service pipe.
- B. BOARD OF TRUSTEES: The duly elected Board of Trustees of the South Palos Township Sanitary District, Cook County, Illinois.
- C. CONSUMER: The person or persons who use water from the District's Water Supply System at a particular premises.
- D. DISTRICT: The South Palos Township Sanitary District, Cook County, Illinois.
- E. DISTRICT ENGINEER: The person, firm or corporation selected by the Board of Trustees of the South Palos Township Sanitary District to serve as the engineer for the District.
- F. PERSON: Any public or private corporation, firm, partnership, association, organization, government or any other group acting as a unit, as well as a natural person.
- G. PRIVATE WATER LINE: A private well system, whether or not owned by the owner of the premises being served.
- H. SERVICE PIPES: The pipe running from the B-Box to the premises being served with water from the District's Water Supply System.
- I. STATE: The State of Illinois.
- J. WATER: Lake Michigan water.
- K. WATER MAIN: A pipe, owned by the District and used for the distribution of water.

- L. WATER METER: A device distributed by the District and used for measuring the consumption of water at any premises served by water from the District's Water Supply System.
- M. WATER SERVICE: The provision of water by the District.
- N. WATER SUPPLY SYSTEM: The system of water mains constructed pursuant to South Palos Township Sanitary District Special Assessment No. 88-1 and any extensions or additions thereto.
- O. WATER USER: See Consumer above.

SECTION 2: GENERAL.

No water from the District's Water Supply System shall be turned on for service into any premises, building or occupancy by any person other than a person so authorized to perform this service by the District.

SECTION 3: APPLICATIONS FOR CONNECTION.

Applications to have water turned on shall be made in writing to the District, on a form to be provided by the District, and shall contain an agreement by the applicant to abide by and accept all of the provisions of this Ordinance as conditions governing the use of the District's Water Supply System by the applicant. No permit shall be issued to any person being served by a private water line until they have satisfied the District's requirements pertaining to disconnection of such private water line.

SECTION 4: WATER SERVICE DEPOSIT.

- A. Every single-family residential applicant for water service of the District shall deposit with the District the sum of One Hundred and No/100 Dollars (\$100.00). Every nonresidential, commercial or industrial applicant for water service of the District shall deposit with the District the sum of Two Hundred Fifty and No/100 Dollars (\$250.00). Every multi-family residential applicant for water service of the District shall deposit with the District the sum of One Hundred and No/100 Dollars (\$100.00) per residential unit. The deposit shall be recorded in the account books of the water division of the District to the credit of the applicant becoming a user of water in the District. The amount of any delinquent account of said applicant shall be deducted from the deposit, and all water service to the water user shall be ordered discontinued until the water user has paid the delinquent account and deposited enough money with the District to again have a deposit amount as required by this Section.
- B. In the event a water user with a deposit discontinues service and owes nothing to the District, any deposit shown as a credit to the water user shall be returned to the depositor immediately upon request, without any interest.

- C. In the event a water user with a deposit discontinues service while owing the District money for water service, whatever sum is necessary to pay the bill shall be deducted from the deposit and applied toward the payment of the bill and any balance of the deposit remaining to the credit of the water user shall be paid to the water user upon request.
- D. No water user shall be entitled to water service, and the water shall not be turned on, until the deposit required by this Section has been made by the water user with the District. It shall be the duty of the District to issue a receipt to the water user showing the sum deposited by the water user at the time of making application.

SECTION 5: WATER SERVICE DISCONNECTION AND RECONNECTION FEES.

In addition to all other required deposits and charges, the following amounts shall be charged to the water customer relative to the disconnection (shut-off) or reconnection (turn-on) of water service, whether as a result of a billing delinquency or a voluntary request:

- A. The sum of Fifty and No/100 Dollars (\$50.00), or the actual cost incurred by the District if an independent contractor (non-District employee) performs the disconnection (shut-off) / reconnection (turn-on), to disconnect (shut-off) or reconnect (turn-on) water service during normal business hours.
- B. The sum of Ninety and No/100 Dollars (\$90.00), or the actual cost incurred by the District if an independent contractor (non-District employee) performs the disconnection (shut-off) / reconnection (turn-on), to disconnect (shut-off) or reconnect (turn-on) water service after normal business hours.

The amount of the reconnection (turn-on) fee, along with any disconnection (shut-off) fee, shall be paid to the District prior to any reconnection (turn-on).

SECTION 6: RESALE OF WATER PROHIBITED.

No water shall be resold or distributed by the recipients thereof from the District's Water Supply System to any premises, building or occupancy other than that for which application has been made and a meter installed.

SECTION 7: MORE THAN ONE CONSUMER FROM SINGLE SERVICE; RESPONSIBILITY OF OWNER LEASING OR SUBDIVIDING.

Two or more premises with separate owners or occupants shall not be supplied from the same service pipe. Owners of buildings who lease or subdivide shall be responsible for all water used on or in such premises. A separate service pipe shall be laid from the main, and a separate B-Box shall be provided, for each building, except that a service

pipe may extend from an owner's house or place of business to his own barn or garage in the rear, if desired, provided said barn or garage is not used for living quarters.

SECTION 8: LIABILITY OF DISTRICT.

- A. All connections and water applied for hereunder, and all the water used hereunder, shall be upon the express condition that the District shall not be liable nor shall any claim be made against it for damages or injury caused by reason of the breaking of any meter, main, branches, service pipes, apparatus, or appurtenances connected with the Water Supply System or any part or portion of the Water Supply System, or for any interruption of the supply of water by reason of the breakage of machines or by reason of stoppage, alteration, removals.
- B. All connections and water applied for hereunder, and all water used hereunder, shall be upon the express condition that the District shall not be liable, nor shall any claim be made against it, for damages to, or for the repair of, any structures, decorative driveways or non-grass landscaping, including, but not limited to, brick mailboxes, paver block driveways and retaining walls, placed in the public right-of-way, as a result of work done by the District relative to a water main, or the appurtenances thereto, located within said public right-of-way, unless the governmental entity having jurisdiction over said public right-of-way has given written permission, to the adjacent property owner, relative to the location of said structure, decorative driveway or non-grass landscaping in the public right-of-way (the "Jurisdictional Permission"). Absent Jurisdictional Permission, the restoration work by the District, relative to any such work in relation to a water main, or the appurtenances thereto, in the public right-of-way, shall be limited to the restoration of the landscaped areas with grass, the re-establishment of any existing stormwater drainage swale, and the patching of any asphalt or concrete driveway.

SECTION 9: USE OF WATER FROM FIRE HYDRANTS.

- A. No person, except a regular employee of the District, the District's licensed water operator or an officer/employee of a fire department or fire protection district in the process of fighting a fire, shall open, take water from, or in any way interfere with any fire hydrant belonging to the District without obtaining a permit to do so from the District. Said fire hydrant use permits, however, shall only be issued in relation to new construction, where metered water is not yet available to the property.
- B. Each applicant for a fire hydrant use permit shall be required to deposit with the District the sum of Seven Hundred Fifty and No/100 Dollars (\$750.00) for the use of a hydrant meter and hydrant wrench, and to cover the costs associated with the activities to be performed by District employees relative to the applicant's use of the fire hydrant. The fire hydrant meter must be installed by a District employee and maintained in good condition by the applicant for the duration of

the period during which the fire hydrant is in use. Prior to using any fire hydrant within the District, the District employee assigned to assist the applicant shall notify the Palos Fire Protection District of said intended use. Upon completion of the fire hydrant use, the hydrant meter and hydrant wrench shall be returned to the District in good operating condition. Water use recorded on the meter shall be charged at the rate specified in Section 36 below, subject to a Three Hundred and No/100 Dollars (\$300.00) minimum use charge, to which shall be added a minimum daily fee of Five and No/100 Dollars (\$5.00) for the use of the hydrant meter and hydrant wrench, as well as a Twenty-Five and No/100 Dollars (\$25.00) fee relative to the District employee's activities. These charges shall be deducted from the Seven Hundred Fifty and No/100 Dollars (\$750.00) deposit, and the balance of the deposit shall be refunded. Any damages to the hydrant meter or hydrant wrench shall also be deducted from the Seven Hundred Fifty and No/100 Dollars (\$750.00) deposit before refund is made. Any damages to the Water Supply System caused by the applicant's use of the fire hydrant shall be paid by the applicant from the deposit or otherwise. In the event that the total costs associated with the applicant's use of water from a fire hydrant exceed Seven Hundred Fifty and No/100 Dollars (\$750.00), the applicant shall be responsible for paying the balance to the District.

- C. In the event water is taken from a fire hydrant for purposes of fighting/extinguishing a fire, the regular rates for the use of water, as herein set forth, shall be charged to the owner of the real property on which the fire occurred, and/or charged to the owner of the personal property which was on fire, for all water taken from a fire hydrant of the District to fight/extinguish said fire.

SECTION 9A: USE OF WATER IN RELATION TO NEW CONSTRUCTION.

- A. No person, except a regular employee of the District or the District's licensed water operator, shall make any connection to the District's Water Supply System, for the purposes of using water in relation to new construction, without obtaining a permit to do so from the District. Said new construction water use permits, however, shall only be issued in relation to new construction, where metered water is not yet available to the property, and shall be valid for a period of four (4) months, beginning on the date the connection to the District's Water Supply System is made, as referenced in subsection B below.
- B. Each applicant for a new construction water use permit shall be required to deposit with the District the sum of Eight Hundred and No/100 Dollars (\$800.00) to cover the costs associated with the activities to be performed by District employees/the District's licensed water operator, and the cost of water, relative to the applicant's use of the water from the District's Water Supply System. The connection to water from the District's Water Supply System must be inspected by, and a backflow preventer and water meter must be installed by, a District employee/the District's licensed water operator, and the backflow preventer and

water meter must be maintained in good condition by the applicant for the duration of the period during which said backflow preventer and water meter are in use. Upon completion of the use of the backflow preventer and water meter, or the passage of four (4) months from the date of the connection to the District's Water Supply System, whichever occurs first, the connection to the District's Water Supply System for new construction water shall be terminated by, and the backflow preventer and water meter shall be disconnected by, a District employee/the District's licensed water operator. Water use recorded on the water meter shall be charged at the rate specified in Section 36 below, subject to a Three Hundred and No/100 Dollars (\$300.00) minimum use charge, to which shall be added a One Hundred and No/100 Dollars (\$100.00) fee relative to the District employee's/District's licensed water operator's activities. These charges shall be deducted from the Eight Hundred and No/100 Dollars (\$800.00) deposit, and the balance of the deposit shall be refunded. Any damages to the backflow preventer or water meter shall also be deducted from the Eight Hundred and No/100 Dollars (\$800.00) deposit before refund is made. Any damages to the District's Water Supply System, caused by the applicant's use of water in relation to the new construction, shall be paid by the applicant from the deposit or otherwise. In the event that the total costs associated with the applicant's use of water relative to the new construction exceed Eight Hundred and No/100 Dollars (\$800.00), the applicant shall be responsible for paying the balance to the District.

- C. Upon expiration of the four (4) month period during which the new construction water use permit is valid, if construction is not complete, such that water can be supplied to the premises in question through the permanent water meter installed relative to said new construction, an additional new construction water use permit can be applied for in accordance with subsections A and B above.

ARTICLE II – CONNECTIONS / DISCONNECTIONS

SECTION 10: CONNECTION WITH WATER SUPPLY SYSTEM REQUIRED.

- A. The owner of any building for occupancy, employment, recreation or other purpose situated within the corporate limits of the District, and abutting on any street, alley, right-of-way or easement in which there is now located or may be located in the future any water main providing water from the District is hereby required at his/her/their/its expense to connect said building directly with the proper water main in accordance with the provisions of this Water Supply System Ordinance, within two (2) years after the date of an official written notice to do so from the District, provided that the water main is within 250 feet (76.2 meters) of any property line.
- B. The provisions of subsection A. above shall not apply to any building for occupancy, employment, recreation or other purposes, situated within the corporate limits of the District, that is currently served with a supply of potable

water from any municipality, or any private or public water supply company which is licensed/regulated by the Illinois Commerce Commission as a utility company.

- C. Any property owner subject to this Section may request a variation from the requirement to make a connection within the two (2) year time frame of subsection A above. The request for a variation shall be directed to the Board of Trustees of the District for an administrative hearing, subject to the following criteria:
1. The property owner must present a case detailing some type of hardship (financial information, building scheduled to be removed or eliminated, building no longer in use or any other hardship) which prevents the property owner from complying with subsection A above.
 2. The Board of Trustees, after a review of the material submitted by the property owner, will consult with appropriate District staff for staff's input relative to the variation request.
 3. A variation may be granted by the Board of Trustees upon a determination of hardship. The maximum period of a variation shall be for a period not to exceed two (2) years from the date of approval of the variation.

SECTION 11: CONNECTION FEE.

A connection fee, for the privilege of connecting into the District's Water Supply System, shall be required relative to each parcel of property that did not pay an assessment pursuant to the special assessment for the construction of the Water Supply System (Special Assessment No. 88- 1), and for each additional connection into the District's Water Supply System relative to a parcel of property that did pay an assessment pursuant to Special Assessment No. 88-1. Said connection fee shall be payable at the time of application for a permit to connect to the District's Water Supply System and shall be calculated as follows:

Nine Thousand Three Hundred Fifty and No/100 Dollars (\$9,350.00) +
Inflation Adjuster = Connection Fee

For purposes of this Section, the "Inflation Adjuster" shall equal the product of One Hundred and No/100 Dollars (\$100.00) multiplied by the number of complete twelve (12) month periods between July 1, 1999 and the date on which application is made to connect to the District's Water Supply System.

In the event that an individual is unable to pay the Connection Fee in one lump sum payment, said individual can pay said Connection Fee over up to a twenty (20) year period. If an individual chooses to pay the Connection Fee other than in one lump sum, said payments shall be made bi-monthly as part of the bi-monthly water and sewer bill, and simple interest on the unpaid balance shall accrue at a rate of five and one-half

percent (5.5%) per annum until the entire Connection Fee is paid. Failure to make any bi-monthly Connection Fee payment, including any interest payment, shall subject the non-paying party to the billing penalty and discontinuation of service provisions of Sections 37 and 38 below. Where an individual chooses to pay the Connection Fee other than in a lump sum payment, a lien shall be recorded against said individual's property to evidence the Connection Fee that is owed, as well as the payment terms. The cost for recording and releasing said lien shall be added to said individual's water and sewer bill, and failure to pay same shall subject the non-paying party to the billing penalty and discontinuation of service provisions of Sections 37 and 38 below.

SECTION 12: INSTALLATION; SUPERVISION OF INSTALLATION.

All service pipes from the District's Water Supply System to the premises to be served shall be installed under the supervision of the District. The installation shall be the responsibility of, and paid for by, the owner of the property to be served.

SECTION 13: EXCAVATIONS FOR INSTALLATION OF SERVICE PIPES.

Excavations for installing service pipes, or repairing the same, shall be made in compliance with the regulations relating to the making of excavations in streets: provided, that it is unlawful for any person to place any service pipe in the same excavation with or directly over any drain or sewer pipe, unless such service pipe is placed on a shelf cut into solid undisturbed earth at the side of such excavation.

SECTION 14: ONLY LICENSED PLUMBERS PERMITTED TO WORK ON SERVICE PIPES.

No person, except a State certified licensed plumber, his employees, acting under his direction, or an employee of the District, under the supervision of the District, shall be permitted to do any work on any water service pipes or connections made with, or in any way connected with, the District's Water Supply System, except as specifically authorized by the District.

SECTION 15: CONTRACTORS TO OBTAIN CONNECTION PERMITS.

Any contractor who connects residences, businesses or other properties to the District's Water Supply System must apply for a connection permit from the District, but no connection permit shall be issued unless:

1. A permit application form is completed and filed with the District;
2. Evidence is given that the contractor is a State certified licensed plumber;
3. The contractor signs a permit application agreeing to indemnify the District, its officers, agents and employees from all costs, damages, claims and losses,

including, but not limited to, attorney's fees, arising out of any work performed under said permit;

4. A certificate of insurance is filed with the District; and
5. A copy of the Cook County permit for the installation of the service line is filed with the District.

SECTION 16: TAPS AND CONNECTIONS – GENERALLY.

- A. Application for a permit to connect any service pipe with the District's Water Supply System shall be made to the District, and shall fix the day on which the applicant wishes to insert the tap into the water main. Once issued, said permit shall be valid for a period of six (6) months from the date of issuance. Said permit may be renewed for one (1) additional six (6) month period upon payment of an amount equal to one-half ($\frac{1}{2}$) of the amount paid for the initial permit, exclusive of the connection fee set forth in Section 11 above.
- B. Due to the limited capacity of the District's Water Supply System together with its limited water allocation, no permit required hereunder shall be issued for any lot with a square footage less than twenty thousand (20,000) square feet. Subject to the variation provisions set forth below.
- C. The Board of Trustees may grant variations of up to four (4%) per cent from the minimum lot size of twenty thousand (20,000) square feet for the issuance of water connection permits only in accordance with the standards set forth in subsection D. below. However, four (4%) per cent is the maximum allowance that may be granted.
- D. The Board of Trustees shall not grant any variations of the twenty thousand (20,000) square feet minimum lot size unless it shall make findings based upon the evidence presented to it in each specific case that:
 1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out;
 2. The conditions upon which an application for a variation is based are unique to the property for which the variance is sought, and are not applicable, generally, to other property within the District;
 3. The alleged difficulty or hardship is caused by this ordinance and has not been created by any persons presently having an interest in the property;

4. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;
 5. The granting of the variation will not alter the essential character of the area;
 6. The granting of the variation will not impair the District's Water Supply System or create problems for the District's Water Supply System or endanger the public safety; and
 7. The granting of the variation will not cause, lead to or substantially increase the possibility that the District's Water Supply System will not be in compliance with the requirements of any other governmental body or agency having regulatory control over such Water Supply System.
- E. The Board of Trustees may impose such conditions and restrictions upon the property benefitted by a variation as may be necessary to comply with the above standards and the objective of the twenty thousand (20,000) square feet minimum lot size requirement.

SECTION 17: APPLICANT TO GIVE NOTICE OF INTENT TO CONNECT.

The applicant for a permit, under the preceding Section, shall give at least two (2) working days notice prior to the time for any insertion of the tap. Notwithstanding the giving of said notice, no more than ten (10) connections per day may be made into the District's Water Supply System. As such, the District may require an applicant to delay making the requested connection to the next available day on which not more than ten (10) connections are scheduled to be made.

SECTION 18: INSPECTIONS, AND PERMIT AND INSPECTION FEES.

All service lines shall be installed, and connections, reconnections and repairs made in relation thereto, under the supervision of the District's Engineer or Licensed Water Operator, and shall be inspected by the District's Engineer or Licensed Water Operator for compliance with the provisions of this Ordinance. The fee for a connection, reconnection or repair permit (which includes the cost of an inspection by the District's Engineer or Licensed Water Operator, and which is in addition to any connection fee paid pursuant to Section 11 above) shall be Three Hundred and No/100 Dollars (\$300.00) per service line. An additional fee of One Hundred and No/100 Dollars (\$100.00) shall be assessed for each additional inspection that needs to be made by the District's Engineer or Licensed Water Operator. All water connection trenches shall be left open for their complete length until such connection shall have been inspected and approved by the District's Engineer or Licensed Water Operator.

**SECTION 19: EXTENSIONS TO WATER SUPPLY SYSTEM – PERMIT REQUIRED;
APPLICATION; INFORMATION TO BE SHOWN.**

No extension to the District's Water Supply System shall be made without first obtaining a permit. The application for a permit shall be made to the District. It shall state:

- A. The name and address of the applicant;
- B. The legal description of the property to be served by the extension;
- C. The number of lineal feet in the extension;
- D. The proposed location of the extension; and
- E. Such other information as is required by the District, and shall be accompanied by complete plans and specifications of the proposed extension.

All extensions to the District's Water Supply System shall be looped to the District's Water Supply System as approved by the District Engineer. In such cases where full looping of the watermain is not practical, because it would require the acquisition of easement rights by the developer to do so, the watermain shall be extended across the entire frontage of the parcel(s) being developed, as approved by the District Engineer, to accommodate possible future extensions or looping. All extensions to the District's Water Supply System shall include fire hydrants at intervals of three hundred (300) feet from both existing fire hydrants as well as fire hydrants to be constructed as part of the extension. If an exact three hundred (300) foot interval would cause a conflict with an existing tree or an existing/proposed driveway or roadway, the District Engineer may approve an alternate fire hydrant location, but in no event shall said alternate location be at an interval of less than two hundred eighty (280) feet or more than three hundred twenty (320) feet.

Each application for a permit under this Section shall be accompanied by a fee of One Thousand and No/100 Dollars (\$1,000.00). Once issued, said permit shall be valid for a period of one (1) year from the date of issuance, and shall be conditioned upon the applicant reimbursing the District for all engineering costs incurred by the District, as billed to the District by its consulting engineer, relative to the review of the plans, specifications and construction. Said permit may be renewed for an additional six (6) month period upon payment of an amount equal to one-half (½) of the amount paid for the initial permit. The amounts paid pursuant to this Section shall be in addition to any connection fees paid pursuant to Section 11 above.

**SECTION 20: EXTENSIONS TO WATER SUPPLY SYSTEM TO BE CONSTRUCTED
AT COST OF OWNER – MANNER TO BE APPROVED BY DISTRICT.**

The extension, under the preceding Section, shall be constructed at the cost of the owner of the property to be served, and shall be of a type and size adequate to meet

the needs of the area in which it is located, and shall be constructed in such a manner as is approved by the District. No permit shall be issued until such approval has been given. All extensions shall be subject to applicable regulations of the District. To the extent allowed by State Statute, if the extension will provide for service capability for other properties in addition to the property to be served, the District will enter into an appropriate recapture agreement with the owner of the property to be served.

SECTION 21: EXTENSIONS TO WATER SUPPLY SYSTEM - NOTICE REQUIRED OF APPLICANT.

The applicant for a permit, under the preceding Sections, shall give at least two (2) working days' notice to the District prior to commencing any of the work authorized by the permit.

SECTION 22: EXTENSIONS TO WATER SUPPLY SYSTEM – INSPECTION OF WORK – APPROVAL OR REJECTION.

The District's Engineer, shall inspect all extensions to the District's Water Supply System, and shall see that the work is done in a workmanlike manner and in accordance with the plans and specifications for the extension. If the District's Engineer finds that any of the work is not done in a workmanlike manner or is not done in accordance with the plans and specifications, said District Engineer shall require such work to be done over in a proper manner.

SECTION 23: SERVICE PIPES – INSTALLATION.

- A. All service pipes shall be laid at least five (5) feet below the established grade. Such service pipes shall consist of Type K copper, which shall never be less than one (1) inch in size; however, the size of all service pipes shall be as required by the District, based on Illinois Plumbing Code Water Fixture Demand Load calculations, provided by an architect, and the recommendation of the District's Engineer. No other materials for service pipes, other than that specified above, shall be permitted between the District's Water Supply System and the meter. No deviation from the size and type of copper pipe to be used between the District's Water Supply System and the meter as specified above will be permitted.
- B. In the event a property owner desires to increase the size of the service pipe currently serving the property, the following requirements shall be applicable thereto:
 - 1. The existing service pipe shall be abandoned in its entirety, including the existing B-Box, all the way to the water main, with its entry point to the water main being capped at the water main;

2. A new service pipe shall be installed from the water main to the property, including the installation of a new B-Box; and
 3. The point at which the new service pipe enters the water main shall be no closer than:
 - a. three (3) feet from the point at which the existing service pipe entered the watermain; and
 - b. eighteen (18) inches from all water main pipe joints and fittings.
- C. No connection permits shall be issued for the installation of any service pipe which is in excess of two hundred ninety-nine (299) feet in length. In such cases where the nearest watermain is in excess of two hundred ninety-nine (299) feet from the proposed point of connection on the building that is to be served by water, a watermain extension, as approved by the District's Engineer, shall be required in lieu of a service pipe. Notwithstanding the foregoing, when the District's Engineer determines that the construction of a watermain extension may present health problems due to water stagnating as a result of the limited number of service pipe connections into said watermain, the District Engineer may authorize the issuance of a connection permit for a service pipe in excess of two hundred ninety-nine (299) feet in length.

SECTION 24: B-BOX.

A B-Box shall be placed on every service pipe and shall be located within the public right-of-way or easement and within two (2) feet of the property line. Such B-Boxes shall be located as directed by the District so that they are easily accessible and are protected from frost. It shall be the responsibility of the owners and/or occupants of the property being served to keep the area around the B-Box clear so that the District has easy access to said B-Box at all times. In the event that access to the B-Box is not maintained by the owner and/or occupants of the property being served, whether as a result of the installation of landscaping around or over the B-Box, or otherwise, and the District is required to expend District funds to re-establish access to the B-Box, the cost incurred by the District to re-establish access to the B-Box shall be billed to the owner and/or occupant by way of adding said amount to the water bill for the property being served through said B-Box. In the event that the B-Box is damaged as a result of the actions of the owners and/or occupants of the property being served, or the actions of the owners' and/or occupants' officers, employees, agents or contractors, whether as a result of the installation or maintenance of landscaping around or over the B-Box, or otherwise, and the District is required to expend District funds to repair or replace the B-Box, the cost incurred by the District to repair or replace the B-Box shall be billed to the owners and/or occupants by way of adding said amount to the water bill for the property being served through said B-Box.

SECTION 25: SERVICE PIPE LEAKS.

Leaks in the service pipe between the B-Box and the water meter shall be repaired by the property owner at his expense, and if not repaired within three (3) days after receiving notice from the District, the water shall be shut off until the repair is made. If, in the opinion of the District, the leak is of sufficient size, the District may forthwith shut off the service until the repair is made.

SECTION 26: RESPONSIBILITY OF OWNER FOR PIPE, LIABILITY OF OWNER.

The District shall keep in repair the water pipe between the District's Water Supply System and the B-Box. All owners and/or occupants shall, at their own expense, keep their service pipe from the point of connection with the B-Box to their premises, and all other apparatus in good repair and properly protected from frost and other dangers. No claims shall be made against the District by reason of breaking of any of the service pipes or apparatus, or from any other damage that may result from shutting off water for repairing, or for any other purpose or for any variation in pressure. No reduction will be made from the regular rates as billed on account of leaking pipes or fixtures.

SECTION 27: SERVICE PIPES ENTERING BUILDING TO BE FURNISHED WITH STOPS AND VALVES, REQUIREMENT GENERALLY.

In all cases where service pipe enters a building, it shall be furnished with a stop or valve placed within twelve (12) inches of the inside wall where the service pipe enters the building between the water meter and the wall, and a similar valve shall be placed on the opposite side of the water meter within twelve (12) inches thereof. In addition, a back-flow prevention valve shall be installed. Such stops or valves shall have a handle or wrench attached thereto for the purpose of turning same so that the water may be turned off in case of leaks in the building. Such stops or valves shall be kept accessible at all times. In regard to all new construction subsequent to December 1, 1993, a properly sized thermal expansion tank shall be located in the cold water supply as near to the water heater as possible and with no shut-off valve or other device between the heater and the expansion tank. In the case of remodeling or renovation that alters, renovates or replaces existing plumbing relative to the water system subsequent to December 1, 1993, a properly sized thermal expansion tank, as referenced in the preceding sentence, or a properly sized relief valve shall be installed.

SECTION 27A: VOLUNTARY DISCONNECTION OF SERVICE LINES.

- A. Permanent Disconnection: In the event that an existing water service line is to be permanently disconnected from the District's Water Supply System and abandoned, because no building will be located on the property in question or a completely new water service line is to be installed, with no intent of reestablishing water service to the property in question through said water service line, said water service line shall be disconnected from the District's Water Supply System and abandoned at

the watermain, with the B-Box being removed and the watermain being capped in accordance with the requirements of the District and the Illinois Plumbing Code. In regard to any such disconnection, the provisions of Sections 12, 13, 14, 15, 16, 17 and 18 above shall be applicable thereto in the same manner as they are applicable to connections to the District's Water Supply System. The fee for a permit to disconnect a water service line from the District's Water Supply System shall be in the same amount as provided for in Section 18 above, relative to connections to the District's Water Supply System.

- B. Demolition Disconnection: In the event of the demolition of a building that is connected by an existing water service line to the District's Water Supply System, the existing water service line shall be disconnected from the District's Water Supply System at the B-Box, with a water tight threaded cap being placed on the B-Box valve at the point of disconnection, in accordance with the requirements of the District and the Illinois Plumbing Code, prior to the demolition of the building. In regard to any such disconnection, the provisions of Sections 12, 13, 14, 15, 16, 17 and 18 above shall be applicable thereto in the same manner as they are applicable to connections to the District's Water Supply System. The fee for a permit to temporarily disconnect a water service line from the District's Water Supply System, as a result of the demolition of a building, shall be in the same amount as provided for in Section 18 above, relative to connections to the District's Water Supply System.

ARTICLE III – WATER METERS

SECTION 28: WATER METERS REQUIRED.

- A. All premises using water from the District's Water Supply System shall be equipped with a water meter supplied by the District, provided, that such water service may be supplied temporarily by the District at a flat rate of charge until such water meter may be installed. All such water meters shall be installed at the expense of the property served, and a deposit of Three Hundred Seventy-Five and No/100 Dollars (\$375.00) shall be placed with the District for said water meter. Notwithstanding the foregoing, in the event that other than a one (1) inch water meter is installed, because of the service needs of the property served, and the cost to replace said larger water meter would exceed Three Hundred Seventy-Five and No/100 Dollars (\$375.00), the deposit relative to said water meter shall be one hundred ten percent (110%) of the cost to replace said water meter. Before any premises is served with water, a water meter shall be installed therein, as herein required, or application made for such water service at the flat rate, until such water meter can be installed, or no water shall be furnished such premises. Before being installed, all water meters shall be tested by the District and shall conform to the requirements for water meters hereinafter set forth and

as may be determined by the District. Only one (1) water meter will be installed for each service.

- B. Effective September 1, 2013, any property owner or contractor, that proceeds with the remodeling of, or an addition to, any existing building within the District, which involves the relocation of the water meter, or any construction of a new building within the District, shall include, as part of said remodeling, addition or new construction, the installation of a pipe with an interior diameter of at least one-half (1/2) inch, in the exterior wall of the building, connecting the inside of the building, at a point within two (2) feet of the water meter, to the exterior of the building, so that the wiring that connects the remote meter read touchpad, and the radio read components relative thereto, to the water meter, can be easily run from the water meter, through the pipe, to the exterior of the building. Said pipe shall be constructed of a hard material that will not collapse over time, so as to maintain an opening, and serve as a conduit, for the aforementioned wiring. Any such pipe which collapses, or otherwise can no longer be used for the aforementioned wiring, shall be replaced by the property owner, at the property owner's expense.

SECTION 29: LOCATION OF WATER METERS.

- A. All water meters shall be placed in the basement where a basement exists and shall be placed on the service pipe not to exceed two (2) feet from the inside wall of the basement where such service pipe enters the premises, with a stop between the water meter and the wall. In the event no basement exists, a water meter may be placed in a heated, suitable, well-drained water meter box or vault of a type, size and location as approved by the District.
- B. Every water meter shall be so placed as to be readily accessible for water meter reading, testing and repairing services. During any period when the water meter is not readily accessible for water meter reading, testing, and repair services, the consumer will be charged four (4) times the average use charge per billing period. In addition, in the event a water meter is situated in a location that is not readily accessible, the District shall notify the owner or consumer of such condition. If the condition is not remedied in a satisfactory manner within fifteen (15) days after receipt of the notice, the water may be shut off and remain shut off until the condition is remedied.
- C. "Readily accessible," as used in this Section, specifically excludes crawl spaces, underneath porches, steps, and/or all other areas or locations requiring a District representative to climb, crawl, or stoop (except by the traversing of steps in and out of a full-height basement). Similarly, all such water meters, whether located in full basements or otherwise, shall be so placed and unobstructed so that it will not be necessary for the District representative to move boxes, cartons, cabinets, tables, appliances, water softeners, or other similar objects obscuring a District representative's ability to read, test or repair the water meter.

- D. All water meters of a size over two (2) inches shall have a test tee with a one-inch opening inserted between the water meter and the stop valve on the outlet side of the water meter.
- E. In the event that the service line exceeds four hundred (400) feet in length, the property owner may, at the District's direction, be required to install an automatic reader for the water meter at a location other than on the building being served with water.

SECTION 30: INSTALLATION OF WATER METERS.

On all service lines, the plumbing shall be arranged so that no water from the District's Water Supply System shall be taken or supplied to the building, or the fixtures or the fire suppression sprinkler system serving the building, except such water which passes through and is registered by the water meter.

SECTION 31: TAMPERING WITH WATER METER.

- A. It is unlawful to tamper at any time with the installed water meter, remote reader or any other portion of the service line or District's Water Supply System, or have the same replaced or repaired or cause the same to be replaced or repaired without obtaining written permission from the District. The District shall designate in writing what parties may be authorized to repair or replace the water meters, and any other portion of the District's Water Supply System. If any person allows damage to occur either intentionally, through negligence, or in any other fashion to any water meter or portion of District's Water Supply System, it shall be said person's and the property owner's responsibility to contact the District for an inspection. Pursuant to said inspection, the District may recommend that the respective water meters, remote reader or any other portion of District's Water Supply System be replaced or repaired and such repair or replacement shall be at the property owner's or person's causing the damage expense. For purposes of this Section, a meter with a broken seal shall be deemed to be a damaged meter.
- B. State certified licensed plumbers, when making repairs, pursuant to written permission from the District, to frozen services or water meters, may remove the water meter, provided it is immediately delivered to the District for inspection and test, and providing that a bond wire is installed prior to the removal.
- C. In no case shall a pipe coupling be inserted in the service line in place of a water meter, except that in case of frozen water meters a State certified licensed plumber, with the written permission of the District, shall be permitted to make such insertion.

- D. Any person violating this Section shall, in addition to the amounts set forth in subsection A. above, be required to pay an administrative fee relative to said damage, as well as an amount estimated to cover the loss of revenue by reason of the incorrect readings from the water meter, with said administrative fee/loss of revenue amount, effective May 1, 2006, being not less than One Hundred Fifty and No/100 Dollars (\$150.00). Said administrative fee/loss of revenue amount, as well as any amount billed pursuant to subsection A. above, shall be added to the water bill for the property served by the damaged meter.

SECTION 32: RIGHT OF ENTRY.

Any authorized official of the District, properly identified by a photo identification card, shall be permitted at all reasonable hours (between the hours of 8:00 a.m. and 6:00 p.m.) to enter the premises or buildings of consumers for the purpose of reading water meters, testing and examining water pipes and fixtures and the manner in which water is used.

SECTION 33: WATER METER TESTING.

- A. The District may at any time remove a water meter temporarily for the purpose of testing its accuracy. The District shall test water meters for accuracy as deemed necessary by the Board of Trustees, after consultation with the District's licensed water operator, if necessary. In the event any water meter upon testing proves to be inaccurate, it shall be repaired or replaced. Any single-family residential water meter shall be tested upon request of the consumer and if found to be inaccurate, it shall be repaired or replaced free of charge except when damaged by hot water, frost, or other acts of the consumer or other person, and not the District. However, should it be found accurate in accordance with subsection C. below, the consumer shall be charged a fee of Eighty and No/100 Dollars (\$80.00).
- B. Prior to any work being undertaken for water meter testing at the request of the consumer, the consumer shall deposit with the District the sum set forth in subsection A. above, which sum of money shall be refunded to the consumer if the water meter is found to be inaccurate. In the event the water meter is found to be accurate, the money shall be withheld by the District as costs associated with testing the water meters.
- C. A water meter shall be considered accurate if it registers within two percent (2%) of the correct amount.
- D. If a water meter is deemed to be in need of repair or replacement, it shall be repaired or replaced at no cost to the consumer unless the need for repair or replacement is the result of the actions of the consumer. Where the repair or replacement of a water meter is required as a result of the actions of the consumer, the costs of said repair or replacement shall be paid by the consumer.

SECTION 34: ESTIMATED READING WHEN WATER METERS FAIL TO REGISTER.

In cases where a water meter fails to register the amount of water passing through it from any cause whatsoever, the quantity used shall be determined and the charge made based upon the average amount used during four (4) preceding periods of similar length.

ARTICLE IV – USE OF WATER AND CHARGES FOR SAME

SECTION 35: RESTRICTIONS ON LAWN SPRINKLING AND OTHER USES.

So as to comply with the Illinois Department of Natural Resources' Lake Michigan Water Allocation Rules and Regulations, as amended effective November 18, 2014, commencing from May 15th through September 15th of each year, it shall be unlawful for any person, firm or corporation to use Lake Michigan water for the sprinkling or irrigation of lawns or gardens (hereinafter "Outdoor Watering") on any day of the week, except between the hours of 7:00 a.m. and 11:00 a.m. or between the hours of 7:00 p.m. and 11:00 p.m. In addition, commencing from May 15th through September 15th of each year, it shall be unlawful for any person, firm or corporation to use Lake Michigan water for Outdoor Watering other than on an odd/even basis (on odd calendar days if the last digit in the street address is odd, or on even calendar days if the last digit in the street address is even). Finally, it shall be unlawful for any person, firm or corporation, using Lake Michigan water in relation to a property with an odd address, to use Lake Michigan water on both the 31st day of May, July and/or August and on the 1st day of the next month, for Outdoor Watering; the intent being to prohibit the use of Lake Michigan water for Outdoor Watering on consecutive days. New lawns, which are less than three (3) months old, shall be exempt from the foregoing restrictions.

The District reserves the right to further limit or suspend the use of Lake Michigan water for Outdoor Watering or for any other special purpose(s) whenever the Board of Trustees shall determine that the public exigencies so require, the President of the Board of Trustees may unilaterally take such action prior to the earliest opportunity available for consultation with the Board of Trustees.

Whenever the Board of Trustees limit or suspend the use of Lake Michigan water for Outdoor Watering, or for any other special purpose(s), it shall be unlawful for any person, firm or corporation to use Lake Michigan water for Outdoor Watering or for any other special purpose(s) designated, other than during the times allowed for such use of Lake Michigan water, provided said person, firm or corporation has been given notice of said limitation on, or the suspension of, the use of Lake Michigan water, from the District, by telephone, U.S. mail or personal service.

SECTION 36: WATER RATES.

- A. There are hereby established rates or charges for the use of services of the District's Water Supply System as follows:

Minimum Charge per Month	0 to 4000 Gallons	Seventy and 80/100 Dollars (\$70.80)
Consumption Rate per Month	Over 4000 Gallons	Seventeen and 70/100 Dollars (\$17.70) per 1000 Gallons

Said rate or charge for service shall be effective and applicable to all water use on or after June 1, 2018, and shall be collectible relative to each premises within the District that is connected to the District's Water Supply System.

- B. Notwithstanding any other provision of this Ordinance, any premises which is eligible to connect to the District's Water Supply System, but is not so connected, whether because a physical connection has not been made to the B-Box or because water has been turned off at the B-Box, shall be billed at the rate of Ten and No/100 Dollars (\$10.00) per month. For purposes of this Section, a premise is "eligible to connect" to the District's Water Supply System if:
1. The premises was subject to the Special Assessment for Waterworks (Special Assessment No. 88-1) or has paid the connection fee set forth in Section 11 above; and
 2. A B-Box has been installed for the premises.
- C. Notwithstanding any other provision of this Ordinance, any premises which is located within the corporate limits of the District, but is not connected to the District's Water Supply System, and is not "eligible to connect" to the District's Water Supply System, as provided for in Subsection B. above, but obtains sanitary sewer service from the District and relies upon the District's Water Supply System, and the fire hydrants that are part thereof, for fire protection, because the potable water provider relative to said premises does not provide water for fire protection through fire hydrants, shall be billed at the rate of Ten and No/100 Dollars (\$10.00) per month for the maintenance of the District's Water Supply System for fire protection.
- D. The owner and occupant of any premises served with water from the District's Water Supply System, or subject to either of the Ten and No/100 Dollars (\$10.00) per month charges, as set forth in Subsections B. and C. above, shall be jointly and severally liable for the charges for water provided to said premises or said Ten and No/100 Dollars (\$10.00) per month charge.

SECTION 37: BILLING PERIOD AND PENALTY.

The billing period is hereby established as bimonthly (once every two months). The water meters used to record usage shall be read as required and the usage billed to the consumer promptly after each reading. All bills for such services shall be due and payable within twenty-one (21) days of the date of the mailing of any bill. A penalty of ten percent (10%) of the amount of the bill will be added to all bills not paid on or before the aforementioned due date.

SECTION 38: DELINQUENCY AND DISCONTINUATION OF SERVICE.

All water bills shall be deemed delinquent if not paid on or before their due date. Seven (7) days after the due date, the District shall cause a notice relative to any unpaid bill, to be sent by first class mail to the consumer and to the taxpayer whose name is shown on the bill of the parcel involved as the owner of record, if the consumer is not the owner. Said notice shall state as follows:

- A. That the bill is delinquent;
- B. That if the consumer or owner would like to dispute or discuss the bill, a hearing is scheduled on the twelfth (12th) day following the date of the mailing of the notice; and
- C. That if the bill remains unpaid, and if the individual fails to show up at the hearing, or shows up at the hearing and does not successfully dispute the bill or come to a settlement in relation to the bill, water service will be disconnected on the tenth (10th) day following the hearing and that a lien may be created against the real estate.

The hearing provided for by this Section shall be conducted at the District's office, during normal business hours of the District, by the District President or his/her designee. In the event the consumer fails to attend the hearing, or shows up at the hearing but does not successfully dispute the bill or come to a settlement in relation to the bill, a second notice shall be sent to the consumer on the second day following the hearing date, by first class mail, reminding the consumer of the amount due and the date on which the water service will be disconnected.

SECTION 39: LIEN ON REAL ESTATE.

Whenever a bill due the District for water service remains unpaid sixty (60) days after it has been rendered, the District shall file with the Recorder of Deeds of Cook County a statement of a lien claim. This statement shall contain the legal description of the premises serviced, the permanent tax index number for the property, the common address, the amount of the unpaid bill, and a notice that the District claims a lien for this amount as well as for all charges for water served subsequent to the period covered by the bill. If the consumer of water whose bill is unpaid is not the owner of the premises,

notice of lien shall be mailed to the taxpayer whose name is shown on the tax bill of the property involved as the owner of the premises. The failure of the District to record such lien claim or to mail such notice or the failure of the owner to receive such notice, shall not affect the right to foreclose the lien for unpaid water bills as mentioned in Section 40 below.

SECTION 40: SALE OF PROPERTY FOR NONPAYMENT.

Property subject to a lien for unpaid water charges shall be sold for nonpayment of the same, and the proceeds of such sale shall be applied to pay the charges, after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosures shall be by complaint in equity in the name of the District. The District's attorney is hereby authorized and directed to institute such proceedings in the name of the District in any court having jurisdiction over such matters, against any property for which the water bill remains unpaid sixty (60) days after it has been rendered.

SECTION 41: RELEASE OF LIEN.

Any lien recorded pursuant to Section 39 above may be removed upon payment to the District of the delinquent amount, any other monies due the District, the amount charged the District by the Cook County Recorder's Office relative to the recording of the lien, the amount to be charged the District by the Cook County Recorder's Office relative to the recording of the release (if the District, as opposed to the property owner, will be recording the release), and a fee of Three Hundred and No/100 Dollars (\$300.00) to cover the District's costs and expenses, including legal fees, in preparing and recording the lien and preparing and recording (if necessary) the release.

SECTION 42: WELLS.

Property owners shall be allowed to maintain their private wells after connecting to the District's Water Supply System provided there are no cross-connections between the property owner's well system and the water system serviced by the District's Water Supply System, and further provided that the well system is used solely for outdoor usage. The District reserves the right to require any property owner to cap his or her well in the event the District discovers any cross connection between a property owner's private water line (well system) and the water system serviced by the District's Water Supply System. Non-compliance with a well capping order from the District shall constitute grounds for shutting off the supply of water from the District's Water Supply System to the non-complying property.

SECTION 43: CROSS-CONNECTION CONTROL

A. General Policy.

1. The purpose of this Section is:

- a. To protect the public water supply system from contamination or pollution by isolating within the customer's water system contaminants or pollutants which could backflow through the service connection into the public water supply system;
 - b. To promote the elimination or control of existing cross-connections, actual or potential, between the public or consumer's potable water system and non-potable water systems, plumbing fixtures and sources or systems containing substances of unknown or questionable safety; and
 - c. To provide for the maintenance of a continuing program of cross-connection control which will prevent the contamination or pollution of the public and consumer's potable water systems.
2. This Section shall apply to all premises served by the public potable water supply system of the District.

B. Definitions.

The following definitions shall apply in the interpretation and enforcement of this Section:

1. "Approved" in regard to backflow prevention devices or methods means approved by the Research Foundation for Cross-Connection Control of the University of Southern California, the Association of State Sanitary Engineers, the American Water Works Association, the American National Standards Institute or certified by the National Sanitation Foundation.
2. "Auxiliary water system" means any water source or system on or available to the premises other than the public water supply system and includes the water supplied by the system. These auxiliary waters may include water from another purveyor's public water supply system; or water from a source such as wells, lakes, or streams, or process fluids; or used water. These waters may be polluted or contaminated or objectionable or constitute a water source or system over which the water purveyor does not have control.
3. "Backflow" means the flow of water or other liquids, mixtures, or substances into the distribution pipes of a potable water system from any source other than the intended source of the potable water supply.
4. "Backflow prevention device" means any device, method or type of construction intended to prevent backflow into a potable water system. All devices used for backflow prevention in Illinois must meet the standards of the Illinois Plumbing Code and the IEPA.

5. "Consumer" or "Customer" means the owner, occupant, official custodian or person in control-of any premises supplied by or in any manner connected to a public water system.
6. "Consumer's water system" means any water system located on the customer's premises. A building plumbing system is considered to be a customer's water system.
7. "Contamination" means an impairment of the quality of the water by entrance of any substance to a degree which could create a health hazard.
8. "Cross-Connection" means any physical connection or arrangement between two otherwise separate piping systems, one of which contains potable water and the other a substance of unknown or questionable safety or quality, whereby there may be a flow from one system into the other.
9. "Direct Cross-Connection" means a cross-connection formed when a water system is physically joined to a source of unknown or unsafe substance.
10. "District" means the South Palos Township Sanitary District.
11. "Double check valve assembly" means an assembly composed of single, independently acting check valves approved under ASSE Standard 1015. A double check valve assembly must include tight shutoff valves located at each end of the assembly and suitable connections for testing the water-tightness of each check valve.
12. "Fixed Proper Air Gap" means the unobstructed vertical distance through the free atmosphere between the water discharge point and the flood level rim of the receptacle.
13. "Health hazard" means any condition, device or practice in a water system or its operation resulting from a real or potential danger to the health and well-being of consumers. The word "severe" as used to qualify "health hazard" means a hazard to the health of the user that could be expected to result in death or significant reduction in the quality of life.
14. "IEPA" means Illinois Environmental Protection Agency.
15. "Indirect Cross-Connection" means a cross-connection through which an unknown substance can be forced, drawn by vacuum or otherwise introduced into a safe potable water system.

16. "Inspection" means a plumbing inspection to examine carefully and critically all materials, fixtures, piping and appurtenances, appliances and installations of a plumbing system for compliance with requirements of the Illinois Plumbing Code, 77 Ill. Adm. Code 890.
17. "Non-potable water" means water not safe for drinking, personal or culinary use as determined by the requirements of 35 Ill. Adm. Code 604.
18. "Plumbing" means the actual installation, repair, maintenance, alteration or extension of a plumbing system by any person. Plumbing includes all piping, fixtures, appurtenances and appliances for a supply of water for all purposes, including without limitation lawn sprinkler systems, from the source of a private water supply on the premises or from the main in the street, alley or at the curb to, within and about any building or buildings where a person or persons live, work or assemble. Plumbing includes all piping, from discharge of pumping units to and including pressure tanks in water supply systems. Plumbing includes all piping, fixtures, appurtenances, and appliances for a building drain and a sanitary drainage and related ventilation system of any building or buildings where a person or persons live, work or assemble from the point of connection of such building drain to the building sewer or private sewage disposal system five (5) feet beyond the foundation walls.
19. "Pollution" means the presence of any foreign substance (organic, inorganic, radiological or biological) in water that tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water.
20. "Potable water" means water which meets the requirements of 35 Ill. Adm. Code 604 for drinking, culinary and domestic purposes.
21. "Potential Cross-Connection" means a fixture or appurtenance with threaded hose connection, tapered spout, or other connection which would facilitate extension of the water supply line beyond its legal termination point.
22. "Process fluid(s)" means any fluid or solution which 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 public or a consumer's potable water system. This includes but is not limited to:
 - a. polluted or contaminated waters;
 - b. process waters;

- c. used waters originating from the public water supply system which may have deteriorated in sanitary quality;
 - d. cooling waters;
 - e. questionable or contaminated natural waters taken from wells, lakes, streams or irrigation systems;
 - f. chemicals in solution or suspension; and
 - g. oils, gases, acids, alkalis and other liquid and gaseous fluids used in industrial or other processes, or for fire fighting purposes.
23. "Public water supply" means all mains, pipes and structures through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treatment plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing water for drinking or general domestic use and which serve at least fifteen (15) service connections or which regularly serve at least twenty-five (25) persons at least sixty (60) days per year. A public water supply is either a "community water supply" or a "non-community water supply".
24. "Reduced pressure principle backflow prevention device" means a device containing a minimum of two (2) independently acting check valves together with an automatically operated pressure differential relief valve located between the two (2) check valves and approved under ASSE Standard 1013. During normal flow and at the cessation of normal flow, the pressure between these two (2) check valves shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check valves at less than the supply pressure. The unit must include tightly closing shutoff valves located at each end of the device, and each device shall be fitted with properly located test cocks.
25. "Service connection" means the opening, including all fittings and appurtenances, at the water main through which water is supplied to the user.
26. "Survey" means the collection of information pertaining to a customer's piping system regarding the location of all connections to the public water supply system and must include the location, type and most recent inspection and testing date of all cross-connection control devices and methods located within that customer's piping system. The survey must be in written form, and should not be an actual plumbing inspection.

27. "System hazard" means a condition through which an aesthetically objectionable or degrading material not dangerous to health may enter the public water supply system or a consumer's potable water system.
28. "Used water" means any water supplied by a public water supply system to a consumer's water system after it has passed through the service connection and is no longer under the control of the water supply official custodian.
29. "Water Operator" means the District's IEPA Licensed Water Operator.
30. "Water purveyor" means the owner or official custodian of a public water system.

C. Water System.

1. The water system shall be considered as made up of two (2) parts: the public water supply system and the consumer's water system.
2. The public water supply system shall consist of the source facilities and the distribution system, and shall include all those facilities of the potable water system under the control of the Water Operator up to the point where the consumer's water system begins.
3. The source shall include all components of the facilities utilized in the production, treatment, storage, and delivery of water to the public water supply distribution system.
4. The public water supply distribution system shall include the network of conduits used to deliver water from the source to the consumer's water system.
5. The consumer's water system shall include all parts of the facilities beyond the service connection used to convey water from the public water supply distribution system to points of use.

- D. All plumbing installed within the District shall be installed in accordance with the Illinois Plumbing Code, 77 Ill. Adm. Code 890. If in accordance with the Illinois Plumbing Code, or in the judgment of the Water Operator or his authorized representative, an approved backflow prevention device is necessary for the safety of the public water supply system, the Water Operator will give notice to the water customer to install such an approved backflow prevention device immediately. The water customer shall, at his own expense, install such an approved backflow prevention device at a location and in a manner in accordance with the Illinois Plumbing Code and all applicable District regulations,

and shall have inspections and tests made of such approved backflow prevention devices upon installation and as required by the Illinois Plumbing Code, District regulations and this Section. Failure, refusal or inability on the part of the consumer to install such approved backflow prevention device or devices immediately shall constitute grounds for discontinuing water service to the premises until such device or devices have been installed. The consumer shall retain records of installation, maintenance, testing and repair as required in subsection G4d below for a period of at least five (5) years.

E. 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 public water supply of the District enters the supply or distribution system of the District, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Water Operator and the IEPA.

F. Cross-Connection Prohibited.

1. Connections between potable water systems and other systems or equipment containing water or other substances of unknown or questionable quality are prohibited except when and where approved cross-connection control devices or methods are installed, tested and maintained to insure proper operation on a continuing basis.

2. a. No physical connection shall be permitted between the potable portion of a supply and any other water supply not of equal or better bacteriological and chemical quality as determined by inspection and analysis by the IEPA.

b. There shall be no arrangement or connection by which an unsafe substance may enter a supply.

G. Survey and Investigations.

1. The consumer's premises shall be open at all reasonable times to the Water Operator, or his authorized representative, for the inspection of the presence or absence of cross-connections within the consumer's premises, and testing, repair and maintenance of cross-connection control devices within the consumer's premises.

2. On request by the Water Operator, or his authorized representative, the consumer shall furnish information regarding the piping system or systems or water use within the customer's premises. The consumer's premises shall be open at all reasonable times to the Water Operator, or his

authorized representative, for the verification of information submitted by the consumer to the Water Operator regarding cross-connection inspection results.

3. It shall be the responsibility of the water consumer to arrange periodic surveys of water use practices on his premises to determine whether there are actual or potential cross-connections to his water system through which contaminants or pollutants could backflow into his or the public potable water system. All cross-connection control or other plumbing inspections must be conducted in accordance with the requirements of the Illinois Plumbing Code.
4. It is the responsibility of the water consumer to prevent backflow into the public water system by ensuring that:
 - a. All cross-connections are removed; or approved cross-connection control devices are installed for control of backflow and back-siphonage.
 - b. Cross-connection control devices shall be installed in accordance with the manufacturer's instructions.
 - c. Cross-connection control devices shall be inspected at the time of installation and at least annually by a person approved by the IEPA as a cross-connection control device inspector (CCCDI). The inspection of mechanical devices shall include physical testing in accordance with the manufacturer's instructions.
 - d. Inspection, maintenance and record keeping is in compliance with subsection K below.

H. Where Protection is Required.

1. An approved backflow device shall be installed on all connections to the public water supply as described in the Plumbing Code, 77 Ill. Adm. Code 890 and the IEPA's regulations, 35 Ill. Adm. Code 680. In addition, an approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises, where in the judgment of the Water Operator, actual or potential hazards to the public water supply system exist.
2. An approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises where the following conditions exist:

- a. Premises having an auxiliary water supply, unless such auxiliary supply is accepted as an additional source by the Water Operator and the source is approved by the IEPA.
 - b. Premises on which any substance is handled which can create an actual or potential hazard to the public water supply system. This shall include premises having sources or systems containing process fluids or waters originating from the public water supply system which are no longer under the sanitary control of the Water Operator.
 - c. Premises having internal cross-connections that, in the judgment of the Water Operator are not correctable or intricate plumbing arrangements which make it impractical to determine whether or not cross-connections exist.
 - d. Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross-connection survey.
 - e. Premises having a repeated history of cross-connections being established or re-established.
3. In addition, an approved backflow prevention device shall be installed on each service line to a consumer's water system serving, but not necessarily limited to, the following types of facilities unless the Water Operator determines that no actual or potential hazard to the public water supply system exist:
- a. Hospitals, mortuaries, clinics, nursing homes;
 - b. Laboratories;
 - c. Piers, docks, waterfront facilities;
 - d. Sewage treatment plants, sewage pumping stations or storm water pumping stations;
 - e. Food or beverage processing plants;
 - f. Chemical plants;
 - g. Metal plating industries;
 - h. Petroleum processing or storage plants;

- i. Radioactive material processing plants or nuclear reactors;
- j. Car washes;
- k. Pesticide, or herbicide or extermination plants and trucks; and
- l. Farm service and fertilizer plants and trucks.

I. Type of Protection Required.

1. The type of protection required under subsection H2 a, b and c above shall depend on the degree of hazard which exists as follows:
 - a. An approved fixed proper air gap separation shall be installed where the public water supply system may be contaminated with substances that could cause a severe health hazard.
 - b. An approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention device shall be installed where the public water supply system may be contaminated with a substance that could cause a system or health hazard.
 - c. An approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention device shall be installed where the public water supply system may be polluted with substances that could cause a pollution hazard not dangerous to health.
2. The type of protection required under subsection H2d above shall be an approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention device.
3. Where a public water supply or an auxiliary water supply is used for a fire protection system, reduced pressure principle backflow preventers shall be installed on fire safety systems connected to the public water supply when:
 - a. the fire safety system contains antifreeze, fire retardant or other chemicals;
 - b. water is pumped into the system from another source;
 - c. water flows by gravity from a non-potable source; or water can be pumped into the fire safety system from any other source; or

- d. there is a connection whereby another source can be connected to the sprinkler system.

J. Backflow Prevention Devices.

1. All backflow prevention devices or methods required by this Section shall be approved by the Research Foundation for Cross-Connection Control of the University of Southern California, the American Water Works Association, the American Society of Sanitary Engineering, or the American National Standards Institute or certified by the National Sanitation Foundation to be in compliance with applicable industry specification.
2. Installation of approved backflow prevention devices shall be made in accordance with 35 Ill. Adm. Code 653.802, and only as specified by the Research Foundation for Cross-Connection Control of the University of Southern California or applicable industry specifications. Maintenance as recommended by the manufacturer of the backflow prevention device shall be performed, with a copy of the manufacturer's maintenance manual available on-site.

K. Inspection and Maintenance.

1. It shall be the duty of the consumer at any premises on which backflow prevention devices required by this Section are installed to have inspection, tests, maintenance and repair made in accordance with the following schedule or more often where inspections indicate a need or are specified in manufacturer's instructions.
 - a. Fixed proper air gap separations shall be inspected to document that a proper vertical distance is maintained between the discharge point of the service line and the flood level rim of the receptacle at the time of installation and at least annually thereafter.
 - b. Double check valve assemblies shall be inspected and tested at time of installation and at least annually thereafter, and required service performed within fifteen (15) days.
 - c. Reduced pressure principle backflow prevention devices shall be tested at the time of installation and at least annually or more frequently if recommended by the manufacturer, and required service performed within five (5) days.
2. Testing shall be performed by a person who has been approved by the IEPA as a CCCDI. Proof of approval shall be in writing.

3. Each backflow prevention device shall have a tag attached listing the date of most recent test or visual inspection, name of the CCCDI, and type and date of repairs.
4. A maintenance log shall be maintained and include:
 - a. date of each test or visual inspection;
 - b. name and approval number of person performing the test or visual inspection;
 - c. test results;
 - d. repairs or servicing required;
 - e. repairs and date completed; and
 - f. servicing performed and date completed.
5. Whenever backflow prevention devices required by this Section are found to be defective, they shall be repaired or replaced at the expense of the consumer without delay.
6. Backflow prevention devices shall not be bypassed, made inoperative, removed or otherwise made ineffective without specific authorization by the Water Operator.

L. Booster Pumps.

1. Where a booster pump has been installed on the service line to or within any premises, such pump shall be equipped with a low pressure cut-off device designed to shut-off the booster pump when the pressure in the service line on the suction side of the pump drops to twenty (20) psi or less.
2. It shall be the duty of the water consumer to maintain the low pressure cut-off device in proper working order and to certify to the Water Operator, at least once a year, that the device is operable.

- M. It shall be the duty of the Water Operator to cause surveys and investigations to be made of industrial and other properties served by the public water supply to determine whether actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated at least every two (2) years, or as often as the Water Operator shall deem necessary. Records of such surveys shall be maintained and available for review for a period of at least five (5) years.

- N. The Water Operator is hereby authorized and directed to discontinue; after reasonable notice to the occupant thereof, in the same manner as for a delinquent water bill, the water service to any property wherein any connection in violation of the provisions of this Section is known to exist, and to take such other precautionary measures as he may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions have been eliminated or corrected in compliance with the provisions of this Section, and until the reconnection fee is paid. Immediate disconnection with verbal notice can be effected when the Water Operator is assured that imminent danger of harmful contamination of the public water supply system exists. Such action shall be followed by written notification of the cause of disconnection. Immediate disconnection without notice to any party can be effected to prevent actual or anticipated contamination or pollution of the public water supply, provided that, in the reasonable opinion of the Water Operator, or the IEPA, such action is required to prevent actual or potential contamination or pollution of the public water supply. Neither the District, the Water Operator or their respective 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 in accordance with the terms of this Section, whether or not said termination was with or without notice.
- O. The consumer responsible for backsiphoned material or contamination through backflow, if contamination of the potable water supply system occurs through an illegal cross-connection or an improperly installed, maintained or repaired device, or a device which has been bypassed, shall bear the cost of clean-up of the potable water supply system.
- P. Violations.
1. The Water Operator shall deny or discontinue, after reasonable notice to the occupants thereof, the water service to any premises wherein any backflow prevention device required by these regulations is not installed, tested, maintained and repaired in a manner acceptable to the Water Operator, or if it is found that the backflow prevention device has been removed or bypassed, or if an unprotected cross-connection exists on the premises, or if a low pressure cut-off required by these regulations is not installed and maintained in working order.
 2. Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with these regulations and to the satisfaction of the Water Operator, and the required reconnection fee is paid.

3. In addition, the monetary fines, as set forth in Section 44 below, shall be applicable to violations of this Section.

Q. The District's agents and employees shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the District for the purpose of verifying the presence or absence of cross-connections, and for the purpose of verifying information submitted by the customer regarding the required cross-connection control inspection. On demand, the owner, lessees or occupants of any property so served shall furnish to the Water Operator any information which the Water Operator may request regarding the piping system or systems or water use on such property. The refusal to supply such information, when demanded, shall, within the discretion of the Water Operator, be deemed evidence of the presence of improper connections as provided in this Section.

SECTION 44: PENALTY FOR VIOLATION.

Any person who violates any provision of this Ordinance shall be fined not less than One Hundred and No/100 Dollars (\$100.00) nor more than One Thousand and No/100 Dollars ((\$1,000.00) for each violation. Each day a violation continues shall constitute a separate and distinct violation/offense.