

VILLAGE OF DAKOTA
TITLE 7 - CHAPTER 2
WATER USE ORDINANCE

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An ordinance regulating: The use of public waters and drains, private sewage disposal, the installation and connection of building waters, the discharge of waters and wastes into the public water

system, and providing penalties for violations thereof; the levying of charges for wastewater services (use charges).

In the Village of Dakota

County of Stephenson, State of Illinois.

Be it ordained and enacted by the Board of the Village of Dakota, State of Illinois, as follows:

SUBCHAPTER 1

Use of Public Water Required

- Sec. 1 Required Connections. Except as provided in subsection B of this section, the owner of all houses, buildings, or properties constructed or to be constructed used for human occupancy, employment, recreation or other human occupancy purposes, situated within the village and abutting on any street, alley, right-of-way or village easement in which there is located or may be in the future be located any potable water main, line or distribution pipe owned and operated by the village, is required, at his or her expense, to install a suitable potable water supply piping system within the occupied structures, and to connect such piping system to the municipal water supply in accordance with the regulations pertaining thereto within sixty (60) days after the date the water Superintendent of Public Works provides notice to so connect; provided, that a village water main pipe is within one hundred feet of the subject property line.
1. Any residence within the village, located where village water is available, which was not previously connected to village water, must connect to village water upon the transfer of title of that property and residence to another owner. Water must be connected within sixty (60) days after such title transfer.
 2. Any new residences constructed within the village located where village water is available must connect to village water at the time of construction.

Sec. 2

Exceptions to Required Connections. In the following circumstances, the mandatory connection provisions of subsection 1, subchapter 1 shall not apply:

1. When lawfully existing and lawfully occupied houses or buildings used for human occupancy, employment, recreation or other human occupancy purposes are being adequately serviced by a private and lawful water supply, such as a well or another municipal water supply, at such time as the village water main line become available for use to the subject premises (within one hundred feet of the property line).

2. Where, prior to the availability of a Village water main line, a valid building permit has been issued and has not expired pursuant to law, for the construction, alteration or remodeling of premises and such permit permits the installation, repair or replacement of a new or existing private water supply, such as a well or other village supply, in accordance with the terms and conditions of such permit or permits.
3. Where minor repairs or maintenance of a private water supply system cause a discontinuance of such private supply of water for a period of time not to exceed seven (7) consecutive days. "Minor repairs" as used herein shall include disinfecting, cleaning, and electrical repair and pump replacement. "Minor repairs" shall not include the deepening of an existing well shaft or the sinking of a new well shaft.

SUBCHAPTER 2

Private Water Systems

- Sec. 1 Where public water is not available under the provisions of Subchapter 1, the building water shall be connected to a private water system complying with the provisions of Subchapter 2.
- Sec. 2 Before commencement of construction of a private water system, the owner shall first obtain a written permit from the county health officer. The application for such permit shall be made on a form furnished by the county health department which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the health officer. A permit and inspection fee as required by the county health department shall be paid at the time the application is filed.
- sec. 3 A permit for a private water system shall not become effective until the installation is completed to the satisfaction of the county health officer and Village. The county health officer shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the county health officer and the Village when the work is ready for final inspection, and before any underground portions are covered. The county health officer and/or Village inspector, shall make the inspection within forty-eight hours of the receipt of written notice excluding weekends and holidays.
- Sec. 4 The type, capacities, location, and layout of a private water system shall comply with all recommendations of the State of Illinois Private Water Licensing Act and Code and with the Environmental Protection Agency.
- Sec. 5
- Sec. 6 At such times as a public water main becomes available to a property served by a private sewage disposal system, as provided in Subchapter 1, the building water shall be connected to said water main within sixty (60) days and the private water system shall be properly abandoned, to include the sealing of the well.

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The owner shall operate and maintain the private water system in a sanitary manner at all times, and at no expense to the Village.

7 No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the building or zoning authority, having jurisdiction over said property.

Sec. 8 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 village 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 of water and the Illinois Environmental Protection Agency.

SUBCHAPTER 3

Ownership

Sec. 1

The village shall be the sole and exclusive owner and operator of all materials and installations for water service, which exist in the rights-of-way or public easements (unless another ordinance, regulation or written agreement specifically provides otherwise). The village shall be the sole and exclusive owner of the curb stops and shut-off box installations and materials which control the water service (unless another ordinance, regulation or written agreement provides otherwise), whether in private property or not. All damages to such facility caused by the owner, occupier or user of the premises serviced by such facilities, or any of his, her, its or their employees, agents, invitees, guests, contractors or subcontractors or visitors shall be paid for promptly upon demand from the village by said persons. The owner,

sec. 2 occupier and user of the subject premises at the time the damage was sustained shall be jointly and severally liable to the village along with such said other persons for such damages.

Should a leak occur in the water system on the private premises of the water user, the property owner of such private premises shall be severally liable for the cost of the water lost through leakage as well as the repair expense to the water system. Should the leakage occur from a part of the water system located in the public right-of-way, the village shall be responsible for the expense to repair the water system and the adjacent owner or water user shall not be responsible for the loss of water.

Sec. 3

This division of liability for repair and expense of water through leakage shall in no way be a limitation on the right of the village or water user/owner to bring a legal action against anyone who damages any part of the water system whether it be on public or private property.

Sec. 4 At no time shall the village be responsible to any private party for its estimating or locating of village water facilities, it being the responsibility of the owner user, plumber, contractor or excavator, as the case may be, to carefully and accurately locate the exact location of the applicable village facilities.

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SUBCHAPTER 4

Building Water Lines and Connections

Sec. 1 No unauthorized person shall uncover, make connections with or opening into, use, alter, or disturb any public water main or line or appurtenance thereof without first obtaining a written permit from the Village.

sec. 2 There shall be two (2) classes of building water permits: (a) for residential water service and (b) for commercial or institutional water service. In either case, the owner or his agent shall make application on a special form furnished by the Village (see appendix 2).

The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Village. A deposit fee of seventy-five (75.00) dollars, an inspection fee of twenty-five (25.00) dollars and a hook-up/connection fee of fifteen hundred (1,500.00) dollars for a residential or commercial building water permit shall be paid to the Village at the time the application is filed.

sec. 3 It is unlawful for anyone to connect to or cause a connection to the village water supply pipes without a permit therefore from the village. Any person not authorized by the village board shall make no such connection and then only after the deposit, permit fee, and hookup/connection fee has been paid and a permit issued.

Sec. 4 Notice must be given to the Village office of about to lay the service pipe and the day on which the connection will be made. This notice must be given at least two working days . previous to the connection.

Sec. 4 No person except a person authorized by the Village will be permitted to tap or connect to the street mains or attach shut-off valves, or stainless steel saddles thereon. All service cocks, valves or stainless steel saddles shall not be attached nearer than twenty-four inches from the bell of the pipe. It shall be the duty of the Superintendent of Public Works, or his designate, to observe connection work with the water system, and from time to time report to the village board the manner in which the plumbers perform their work and the conditions in which he finds the streets and rights-of-way repaired or restored at the work locations.

Sec. 5 The Superintendent of Public Works shall keep a complete record of the exact location, number and sizes of all taps and connections and shall require all contractors and plumbers to report to him the details of their work at the village mains, curb stops and shut-off boxes.

Sec. 6 A water permit will only be issued and a water connection shall only be allowed if it can be demonstrated that the Village water facilities, including well, treatment system, pump station, and water control facilities, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated load.

7 All costs and expenses incident to the installation and connection of the building water shall be borne by the owner to include all materials required to properly connect the building to the public water system main. These materials include, but are not limited to the service pipe, the corporation cock, the stainless steel saddle, a shut-off valve, and shut-off box. All installation

shall be installed under the direction of the Superintendent of Public Works for the sum set out in Subchapter 4, Section 2, but under no circumstances shall said service be carried more than fifty feet (50'). The owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by said installation.

- Sec. 8 A separate and independent building water shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private water is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway. In such case, the building water from the front building may be extended to the rear building and the whole considered as one line.
- Sec. 9 Old building water lines may be used in connection with new buildings only when they are found on examination and tested by the Superintendent of Public Works or his representative to meet all requirements of this ordinance.
- Sec. 10 The size, slope, alignment, materials of construction of a building water, and the methods to be used in excavating, placing the pipe, joining, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Village, county, and state. Under no circumstances shall any service pipe or pipes be buried less than five feet six inches (5' 6") from ground level to the top of the pipe. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society of Testing Materials, and Standard Specifications for Water and Water Main Construction in Illinois shall apply.
- Sec. 11 The connection of the building water into the public water shall conform to the requirements of the building and plumbing code, or other applicable rules and regulations of the Village, or the procedures set forth in appropriate specifications of the American Society of Testing Materials, and Standard Specifications for Water and Water Main Construction in Illinois. All connections shall be made gastight and watertight. The Village, before installation, must approve any deviation from the prescribed procedures and materials.
- Sec. 12 The applicant for the building water permit shall notify the Village when the building water is ready for inspection and connection to the public water main. The connection shall be made under the supervision of the Superintendent of Public Works or his representative.
- Sec. 13 All excavations for building water installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village.

SUBCHAPTER 5 Water System

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- Sec. 1 The water system shall be considered as made up of two parts: the public water supply system and the consumer's water system.
- Sec. 2 The public water system 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 superintendent of water up to the point where the consumer's water system begins.
- Sec. 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.
- Sec. 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.
- Sec. 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 the points of use.

SUBCHAPTER 6

Use of the Public Water System

- Sec. 1 No water shall be resold or distributed by the recipient thereof from the Village water supply to any premises other than that for which application has been made, except in case of emergency and only then by written pennit from the Superintendent of Public Works.
- Sec. 2 All the hydrants now or hereafter installed in the village and owned by the village for the purpose of extinguishing fires are declared to be public hydrants, and no person other than the members of a fire department or others in the exercise of the authority so delegated by the village board shall open any of the hydrants or attempt to draw water from the same, or in any manner interfere with any of the said hydrants.
- Sec. 3 No village employee or officer shall allow or permit any person not properly authorized by the village to take the wrenches or any other tools, equipment or apparatus from any village truck, vehicle, garage or other village building. Persons requiring water or for temporary use for public or private work or improvement, including construction of any building before water is furnished as provided in this chapter, may be permitted to use the village water supply by making application therefore to the Superintendent of Public Works and by paying a permit fee of fifty (50.00) dollars, for the privilege of drawing water from the hydrants; and at the direction of the Superintendent of Public Works, a hydrant meter may be installed and the rates for the rent thereof and for the use of water shall be as established by the water Superintendent of Public Works.

- 4 No person shall take water from any fire plug, hydrant, valve, faucet, pipe or any other opening connected with the water works system, nor shall any person open any such fire plug, hydrant, valve or faucet for the purpose of taking water, or for any purpose, unless such person shall first have made application for the use of water for such purpose and have received a permit from the village or unless such person is an employee of the village and is acting in the discharge of his duties as such.
- Sec. 5 No person to whom a permit is issued for the use of water for any purpose whatsoever, including construction purposes, tamping, irrigating, testing, flushing, domestic supply, etc., shall use or consent to the use of any water not authorized by said permit, or consent to the use of such water by any other person. Any person to whom such permit is issued shall at all times use precaution to prevent any waste of water or damage, and upon completion of the work for which use of water is authorized, or upon the expiration of the time specified in such permit, said person shall be required to close off all valves; provided, however, that if a permit has been issued for service from water service pipes controlled by such valves they may be allowed to remain open.
- Sec. 6 Any person found to be violating any provision of Subchapter 6, shall be served by the Village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- sec. 7 Any person who shall continue any violation beyond the time limit provided for in of Section 6 of Subchapter 6, shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than fifty (50) dollars, nor more than five hundred (500) dollars. Each day for which a continuing violation occurs shall be deemed a separate offence for purposes of this provision.

SUBCHAPTER 7

Cross-connection Control

- Sec. 1 It is the policy of the village that cross-connections are not to be granted except under circumstances of special or unusual need such as an emergency or for the protection of life, health or safety which is or are in clear and present jeopardy.
- Sec. 2 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.
- Sec. 3 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 agency.

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4 There shall be no arrangement or connection by which an unsafe substance may enter a supply of potable water.

sec. 5 The Superintendent of Public Works may require the customer to submit a cross-connection inspection report to the village to assist in determining whether or not service line protection will be required. A cross-connection control device licensed plumber inspector certified by the Illinois Environmental Protection Agency shall conduct all cross-connection inspections.

Sec. 6 Where cross-connections are permitted, an approved backflow device shall be installed on all connections to the public water supply as described in the Illinois Plumbing Code, 77 Ill. Adm. Code 890 and the agency's regulations, 35 Ill. Adm. Code 653. 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 Superintendent of Public Works determines that no actual or potential hazard to the public water supply system exists:

1. Hospitals, mortuaries, clinics, nursing homes;
2. Laboratories;
3. Piers, docks, waterfront facilities;
4. Sewage treatment plants, sewage pumping stations or stormwater pumping stations;
5. Food or beverage processing plants;
6. Chemical plants and storage facilities;
7. Metal plating industries;
8. Petroleum processing or storage plants;
9. Radioactive material processing plants or nuclear reactors;
10. Car washes;
11. Pesticide, herbicide or extermination plants and trucks;
12. Farm service and fertilizer plants and trucks;
13. Industrial, commercial and multifamily facilities that have automatic sprinkling fire prevention devices.

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sec. 7 The type of protection required under this subchapter shall depend on the degree of hazard, which exists as follows:

1. 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 health hazard;
2. An approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention assembly shall be installed where the public water supply system may be contaminated with a substance that could cause a system or health hazard;
3. An approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention assembly or a double check valve assembly shall be installed where the public water supply system may be polluted with substances that could cause a pollution hazard not dangerous to health.

8 The Superintendent of Public Works is authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this subchapter is known to exist and to take such other precautionary measures as he or she 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 this subchapter and until the reconnection fee is paid to the village. Immediate disconnection with verbal notice can be effected when the superintendent of water is assured that imminent danger of harmful contamination of the public water supply 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 Superintendent of Public Works and/or the Illinois Environmental Agency, such action is required to prevent actual or potential contamination or pollution of the public water supply.

Sec. 9 The Superintendent of Public Works shall deny or discontinue, after reasonable notice to the occupants thereof, the water service to any premises wherein a cross-connection is made without a permit or in violation of these regulations or if an unprotected cross-connection exists on the premises.

Sec. 10 Water service to such premises shall not be restored until the customer has corrected or eliminated such conditions or defects in conformance with this subchapter and to the satisfaction of the Superintendent of Public Works and the required reconnection fee is paid, and all additional costs, if any, are paid.

- Sec. 11 Neither the village, the Superintendent of Public Works, or any of its agents or assigns shall be liable to any customers of the village for any injury, damages or lost revenues which may result from the termination of said customer's water supply in accordance with the terms of this subchapter, whether or not said termination of the water supply was with or without notice.
- Sec. 12 The consumer shall be responsible for contamination of the potable water supply system, which occurs through an illegal cross-connection and shall pay to the village the cost of cleanup of the potable water supply system. Failure to pay such cost upon demand shall be cause for the village to file a lien against the real estate in violation for the amount of such cost and costs of enforcement of the lien.
- Sec. 13 Any person found to be violating any provision of this subchapter shall be served with written notice stating the notice of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violation.
- Sec. 14 Any person, firm or entity violating any of the provisions of this section, in addition to the fine provided shall become liable to the village for any expense, including reasonable attorney's and engineering fees, loss or damage occasioned by the village by reason of such violation, whether the same was caused before or after notice. Any violation of any section of this subchapter shall be deemed a separate offense for each day that such violation exists. Any person violating the terms and conditions of this chapter shall be subject to a fine of not less than fifty (50.00) dollars nor more than five-hundred (500.00) dollars with each and every day that the violation exists. Each day a violation exists constitutes a distinct and separate offense under this subchapter. In addition, the village may take all actions, singly or cumulatively it deems appropriate to enforce the terms of this chapter, including an action for injunction. The violator upon conviction shall pay all attorneys' fees and costs incurred by the village in enforcing the terms of this subchapter.

SUBCHAPTER 8 Backflow Prevention

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- Sec. 1 All plumbing installation within the municipality 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 Superintendent of Public Works, an approved backflow prevention device is necessary for the safety of the public water supply system, the Superintendent of Public Works will give notice to the water customer to install such an approved device immediately. The water customer shall, at his or her own expense, install such an approved device at a location and in a manner in accordance with the Illinois Plumbing Code, Illinois Environmental Protection Agency regulations 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, Illinois Environmental Protection Agency and local regulations.
- Sec. 2 All backflow prevention devices or methods required by this chapter shall be approved by the Research Foundation for Cross-Connection Control of the University of Southern California, American Water Works Association, American Society of Sanitary Engineering, American National Standards Institute, or certified by the National Sanitation Foundation to be in compliance with applicable industry specification.
- Sec. 3 The owner shall be responsible for protection of the public water supply system from contamination due to backflow or back-siphonage of contaminants through the customer's water service connection. In all cases where an auxiliary water system, recirculation heat system, other water recirculation system, or other device that may cause backflow is directly or indirectly connected to the village water system, an approved backflow prevention device is required for the safety of the public water system. The consumer shall immediately install such approved device or devices at his or her own expense; failure, or refusal or inability on the part of the consumer to install such device or devices immediately shall constitute grounds for discontinuing water service to the premises until such device or devices have been installed.
- 4 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:
1. Premises have an auxiliary water supply, unless such auxiliary supply is accepted as an additional source by the superintendent of water and the source is approved by the Illinois Environmental Protection Agency;
 2. Premises on which any substance is handled which can create an actual premise 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 Superintendent of Public Works;
 3. Premises having internal cross-connections that, in the judgment of the superintendent of water and/or the cross-connection control device inspector, are not correctable or intricate plumbing arrangements which make it impractical to determine whether or not crossconnections exist;

4. Premises where, because of security requirements or other prohibitions or restrictions, make it impossible or impractical to make a complete cross-connection survey;
5. Premises having a repeated history of cross-connections being established or reestablished.
6. Premises having a swimming pool where a hose or pipeline is used for filling the pool and the hose or pipeline cannot be secured to assure that the discharge end cannot be submerged into the pool.
7. All new home construction and major renovation projects within the Village of Dakota shall have double backflow prevention devices installed for the main water line, as per Illinois Environmental Protection Agency (IEPA) Regulations.

Sec. 5 Installation of approved devices shall be made in accordance with the manufacturer's instructions. Maintenance, as recommended by the manufacturer of the device, shall be performed. Manufacturer's maintenance manual shall be available on site.

Sec. 6 It shall be the duty of the consumer, at any premises on which backflow prevention devices required by this chapter are installed to have inspection, tests, maintenance and repair made in accordance with the manufacturers instructions.

sec. 7 Testing shall be performed by a person who has been approved by the agency as competent to service the device. Proof of approval shall be in writing and each device shall have a tag attached listing the date of the most recent test or visual inspection, name of tester, and type and date of repairs. The consumer shall retain records of installation, maintenance, testing, and repair as required for a period of at least five years.

sec. 8 Whenever backflow prevention devices required by this subchapter are found to be defective, they shall be repaired or replaced at the expense of the consumer without delay.

Sec. 9 Backflow prevention devices shall not be bypassed, made inoperative, removed, or otherwise made ineffective without specific authorization by the Superintendent of Public Works.

Sec. 10 The Superintendent of Public Works is authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this subchapter is known to exist and to take such other precautionary measures as he or she 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 this section and until the reconnection fee is paid to the village. Immediate disconnection with verbal notice can be effected when the Superintendent of Public Works is assured that imminent danger of harmful contamination of the public water supply 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

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Superintendent of Public Works and/or the Illinois Environmental Agency, such action is required to prevent actual or potential contamination or pollution of the public water supply.

- Sec. 11 The Superintendent of Public Works shall deny or discontinue, after reasonable notice to the occupants thereof, the water service to any premises where a backflow prevention device is required and the device has been removed, bypassed, not installed, left untested, or has not been maintained.
- Sec. 12 Water service to such premises shall not be restored until the customer has corrected or eliminated such conditions or defects in conformance with this subchapter and to the satisfaction of the Superintendent of Public Works and the required reconnection fee is paid, and all additional costs, if any, are paid.
- Sec. 13 Neither the village, the Superintendent of Public Works, or any of its agents or assigns shall be liable to any customers of the village for any injury, damages or lost revenues which may result from the termination of said customer's water supply in accordance with the terms of this subchapter, whether or not said termination of the water supply was with or without notice.
- Sec. 14 The consumer responsible for back-siphoned or back-pressured material or contamination through backflow, if contamination of the potable water supply system occurs through an improperly installed, maintained or repaired backflow prevention device, or a backflow prevention device which has been bypassed or removed, shall pay to the village, the cost of cleanup of the potable water supply system. Failure to pay such cost upon demand shall be cause for the village to file a lien against the real estate in violation for the amount of such cost and costs of enforcement of the lien.
- Sec. 15 Any person found to be violating any provision of this subchapter shall be served with written notice stating the notice of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Sec. 16 Any person, firm or entity violating any of the provisions of this section, in addition to the fine provided shall become liable to the village for any expense, including reasonable attorney's and engineering fees, loss or damage occasioned by the village by reason of such violation, whether the same was caused before or after notice. Any violation of any section of this subchapter shall be deemed a separate offense for each day that such violation exists. Any person violating the terms and conditions of this chapter shall be subject to a fine of not less than fifty (50.00) dollars nor more than five-hundred (500.00) dollars with each and every day that the violation exists. Each day a violation exists constitutes a distinct and separate offense under this subchapter. In addition, the village may take all actions, singly or cumulatively it deems appropriate to enforce the terms of this subchapter, including an action for injunction. The violator upon conviction shall pay all attorneys' fees and costs incurred by the village in enforcing the terms of this subchapter.

SUBCHAPTER 9

Shutoff Valves

- Sec. 1 Service pipes intended to supply two or more distinct residential units or tenements (e.g., duplexes) must be provided with separate and distinct service lines, shutoff valves and shut-off boxes, for each tenement on the outside of the same.
- Sec. 2 All residential service pipes to the meter shall be installed by a licensed plumber through pipes denominated by licensed plumbers as type "K" copper and shall be a minimum of one inch in diameter. Larger service lines shall not be installed except by written permission of the superintendent of water. Service lines of sixty feet or less shall be one-piece type "K" copper pipes.
- Sec. 3 Plumbers and all others are prohibited from turning on the water into any service pipe except upon the order or permission of the Superintendent of Public Works. This regulation shall not be construed to prohibit any licensed plumber from admitting water to test pipes for testing purposes only and subject to the permission from the superintendent of water to admit water for testing.

SUBCHAPTER 10

Booster Pumps

- Sec. 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 cutoff 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.
- Sec. 2 It shall be the duty of the water consumer to maintain the low-pressure cutoff device in proper working order and to certify to the superintendent of water, at least once a year, that the device is operable.

SUBCHAPTER 11

Fire Service Lines

- Sec. 1 It is unlawful for anyone to connect to the village water system a fire service line except in accordance with the provisions of this subchapter.
- Sec. 2 Except as provided in this subchapter, all fire service lines shall be directly connected to the village main line. Such connection shall be independent from the water service line or lines, which provide water for consumption at the premises so served. The fire service lines or lines shall be utilized only for fire suppression systems. For limited area fire suppression systems, the village board may, upon the recommendation of the Superintendent of Public Works, grant an application for a variation from the direct connection requirements of this subchapter.
- Sec. 3 All required fire and service lines shall be designed and installed at the expense of the owner of the premises to be served, or by the party seeking the building permit for the improvements required to have a fire service line or lines. Any other provisions of this chapter to the contrary notwithstanding, the owner of the premises served and in the case of industrial and commercial premises shall be severally responsible for the maintenance of the fire service line from the point of connection to the village main to and throughout the premises served.
- Sec. 4 Permit and Inspection Fees.
1. No fire service line shall be connected, directly or indirectly, to the village water system without first obtaining a permit for such connection. The permit fee for the connection of the fire service lines to the village water system shall be one hundred fifty (150.00) dollars.
 2. In addition to the connection fee, an inspection fee of fifty (50.00) dollars per connection shall be charged.
 3. All connection and inspection fees shall be paid at the time of application therefore and no permit to connect shall be issued or, if issued, be valid, until or unless all required connection charges and inspection fees are paid.
- Sec. 5 All fire service lines shall be hydrostatically proof tested and disinfected under the direction of the superintendent of public works prior to the any occupancy.
- Sec. 6 Where a public water supply or an auxiliary water supply is used for a fire protection system, reduced pressure principle backflow preventors shall be installed on fire safety systems connected to the public water supply when:
1. The fire safety system contains antifreeze, fire retardant or other chemicals;
 2. Water is pumped into the system from another source;
 3. Water flows by gravity from a non-potable source; or water can be pumped into the fire safety system from any other source;
 4. There is a connection whereby another source can be introduced into the fire safety system.

Sec. 7 All other fire safety systems connected to the potable water supply shall be protected by a double check valve assembly on metered service lines and a double detector check valve assembly on un-metered service lines.

sec. 8 All fire service lines shall be designed, installed and maintained in accordance with all applicable village building and fire prevention codes. Should the provisions of this chapter conflict with any other code or regulation of the village, it is the intention of this subchapter that the stricter code or regulation shall apply.

SUBCHAPTER 12

Sec. 1 Meters

Water meters may be required on all service pipes to all buildings and on any new water services to existing buildings in the village under the direction of the Superintendent of Public Works when a reasonable estimate of water use cannot be gauged. Each metered service shall include an appropriate and approved stopcock / shutoff valve, curb stop or other service control device. The location of such control devices shall be approved by the village or at a location determined by the village. Operation of such service control devices shall be under the exclusive control of the village.

sec. 3 All required meters shall be owned by the Village.

Meters shall be installed at the building owner's cost by an Illinois-licensed plumber in a location that will be readily accessible and in accordance with all of the following:

1. Applicable plumbing codes and regulations;
2. Manufacturer's instructions to the extent not inconsistent with applicable codes and regulations; and
3. Reasonable requirements of the village water Superintendent of Public Works.

Sec. 6 In residential districts all meters shall be installed in the basement where a heated basement exists, located as close to the front wall of the building as possible, and the entire length of service from the point of entry into the structure to the meter shall always be exposed. At no time may water meters be installed in washrooms. Interior pipes may be wrapped to protect from condensation or freezing.

All meters shall be set plumb and level and secured to remain so. They must be placed in an accessible location free from all obstructions so that they can be easily read and serviced and shall be protected by the consumer from freezing or damage. Brass couplings or unions shall be installed on the inlet and outlet side of the meter. On compound or turbine-type meters,

flanged connection shall be made. An Apollo Series 80 ball valve (or equivalent) must be installed within one foot of the meter on both inlet and outlet. No lead or lead-containing compounds shall be used in making meter or plumbing connections. Nonresidential, commercial, industrial and multi-family development meter installations shall conform to all other applicable codes and regulations.

- sec. 7 Where a meter is installed on a water service pipe connected to a hot water boiler, steam boiler or other hot-water apparatus a check and relief valve shall be provided between such meter and boiler to protect the water meter from damage caused by backpressure from the steam or hot water. A watts No. 7 backflow preventor or equivalent shall be installed at the outlet side of all meters. On all systems within each structure serviced by the village water supply, there shall be installed a thermal expansion absorber of adequate capacity specified as an Amtrol "Therm-X-Trol" ST series or equivalent.
- Sec. 8 In residential districts where there is no basement, the water meters must be placed in a pit to protect the meter from freezing and at an approved location or the meter may be located inside the home or structure (in an accessible location so that it can be easily read and serviced). The specifications of such pits must be approved by the water Superintendent of Public Works prior to issuing a permit.
- sec. 9 In business, industrial or multiple-family districts, the specifications and location of the meters and meter pits shall be approved by the Superintendent of Public Works and the Village Engineer prior to installation.
- Sec. 10 No water meter shall be used by any consumer unless and until such meter is sealed by the Superintendent of Public Works or his designated agent. After the meter is placed, only officers or employees of the village, properly authorized, shall be allowed to test, repair, remove, or in any manner interfere with the functioning of the meter.
- Sec. 11 If a meter seal is broken or damaged, the Superintendent of Public Works shall cause the broken seal to be replaced. The owner or occupant of the premises on which the meter is located will pay the village at the time the broken meter seal is replaced a service fee of twenty-five (25.00) dollars.
- Sec. 12 Where repair is required through no fault of the owner, user or occupant of the premises, the village shall be responsible for repairs to the meters.
- Sec. 13 The owner of the premises served by any meter shall be at all times severally responsible for any damage done to the meter as a result of any tampering, violence, or other unauthorized alteration or modification to the meter.
- Sec. 14 The water Superintendent of Public Works shall read or cause to be read every water meter used in the village at such times are necessary that the bills may be sent out at the proper time.

SUBCHAPTER 13

Protection of Water Works

Sec. 1 No person shall willfully or carelessly break, injure, mar, deface, interfere with or disturb any building, machinery, apparatus, fence, fixtures, attachment or appurtenances of the Village water system or any public or private hydrant, meter or buffalo box, shutoff valve, or shutoff box, water supply or service pipe, or any other part thereof; nor shall any person deposit anything in any meter box, curb stop, or shutoff box or commit any act tending to obstruct or impair the intended use of any of the above mentioned things, without the permission of the Superintendent of Public Works, or except in the cases hereinafter provided. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct and damage to public property.

Sec. 2 Under 65 ILCS 5/11-125-4 (1994); 415 ILCS 5/14.2 and 5/14.3 (1994) the minimum setback zone established under section 14.2 of the environmental Protection Act (415 ILCS 5/14.2 (1994) and the maximum setback zone established under section 14.3 of the Act shall be enforced as follows:

1. Except as provided in items 2 and 3 below, no person shall place a new potential primary source, new potential secondary source, or new potential route of ground water or water aquifer contamination within the minimum setback zone as shown in appendix 3.
2. Waivers, exceptions, and certifications of minimum hazard are as follows:
 - a. If the owner of a new potential primary source, new potential secondary source or new potential route is granted a waiver by the Agency, pursuant to Section 14.2(b) of the Act, such owner shall be deemed to have a waiver to the same extent from Section 2.
 - b. If the owner of the new potential primary source (other than land filling or land treating), new potential secondary source, or new potential route is granted an exception by the Board, pursuant to Section 14.2(c) of the Act, such owner shall be deemed to have a exception to the same extent from Section 2.
 - c. If the owner of a new potential primary source, new potential secondary source or new potential route is issued a certificate of minimal hazard by the Agency, pursuant to Section 14.5 of the Act, such owner shall not be subject to Section 2 of this Subsection to the same extent that such owner is not subject to Section 14.2(d) of the Act.
3. This section shall not apply to new common sources of sanitary pollution as specified in Section 17 of the Act and the regulations adopted there under by the Agency; however, no such common sources may be located within the applicable minimum distance from a community water supply well specified by such regulations.

SUBCHAPTER

14

Powers and Authority of Inspectors

- Sec. 1 It shall be the duty of the Superintendent of Public Works 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 a matter of public record and shall be repeated at least every two years, or as often as the superintendent of water shall deem necessary. Records of such surveys shall be maintained and available for review for a period of at least five years.
- Sec. 2 The Village and other duly authorized employees or agents of the Village, the Illinois Environmental Agency, and the U.S. Environmental Protection Agency, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of reading meters, repair, inspection, observation, measurement, sampling, and testing in accordance with the provisions of this chapter. Where such inspections are not of any immediate or urgent nature, employees of the village shall arrange for an appointment mutually convenient to the occupants of the premises served and said employees. The Village or its representative shall have no authority to inquire into any processes, including metallurgical, chemical, oil refining, ceramic, paper, or other industries beyond that point.
- Sec. 3 While performing the necessary work on private properties referred to in section 1 of this subchapter, the Village, the Illinois Environmental Protection Agency, and the U.S. Environmental Protection Agency shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the Village employees and the Village shall indemnify the company against loss or damage to its property by Village employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions.
- Sec. 4 The Village and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all private properties through which the Village holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the water works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the easement pertaining to the private property involved.

Sec. 5 Where the condition of any premises or water facilities represents a threat to the public health, safety or welfare including, but not limited to, the breakage or other failure of a water line (when such water line is connecte&to the water system of the village) and such breakage or failure is not repaired or remedied within forty-eight hours, then the village may enter upon the premises and make any and all necessary repairs or replacements and the cost of such repairs and replacements shall be reimbursed to the village upon demand. If the nature and extent of such condition makes it impracticable or unsafe to allow the condition to remain, then the village may immediately enter upon the premises to make the necessary repairs or replacements. The authority granted by this section shall not be construed as creating any obligation upon the village to enter upon the premises and/or make any repair or replacement and shall not create any liability against the village for failure to repair or for the quality and/or workmanship of the work stated and/or completed by the village.

SUBCHAPTER 15

Penalties

Sec. 1 Any person found to be violating any provision of this chapter shall be served by the Village with written notice stating the nature of the violation and, except in situations that require the immediate shutoff of the water service to protect the village water supply, provide a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. The Village may revoke immediately any permit for water use as a result of any violation of any provision of this ordinance.

Sec. 2 Any person who shall continue any violation beyond the time limit provided in the written notice of violation from the Village, shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than fifty (50) dollars, nor more than five hundred (500) dollars. Each day for which a continuing violation occurs shall be deemed a separate offence for purposes of this provision.

Sec. 3 Any person violating any of the provisions of this chapter shall become liable to the Village for any expense, loss, or damage occasioned the Village by reason of such violation.

SUBCHAPTER 16

Validity

SUBCHAPTER

Sec.

Sec. 1 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 2 The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance, which can be given effect without such invalid part or parts.

SUBCHAPTER 17

Charges

Sec. 1 The wastewater service charge for the use of and for service supplied by the wastewater facilities of the Village shall consist of a basic user charge, a debt service charge, a capital improvement charge, and applicable surcharges.

Sec. 2 The adequacy of the water service charge shall be reviewed, not less often than annually, by Certified Public Accountants for the Village in their annual audit report. The wastewater service charge shall be revised periodically to reflect a change in local capital costs or O, M, & R (Operation, Maintenance and Repair).

Sec. 3 The users of the wastewater treatment services will be notified annually, in conjunction with a regular bill, of the rate and that portion of the user charges, which are attributable to the wastewater O, M, & R.

Sec. 4 The Basic User Charge is levied on all users to recover the O, M, & R (Operation, Maintenance and Repair) costs and shall be based on estimated average water use for each class of users or usage as recorded by water meters for those having such meters.

Sec. 5 The Debt Service Charge is computed by apportioning the annual debt service as a fixed charge per billing period.

Sec. 6 The Capital Improvement Charge is levied on users to provide for capital improvements, extensions, or reconstruction of the sewage treatment works. The capital improvement charge is computed by apportioning the annual amount to be accrued as a fixed charge per billing period.

Sec. 7 Measurement of flow: The volume of flow used for computing basic user charges and surcharges shall be estimated water volume usage for each class of user.

1. Devices for measuring the volume of water used may be required by the Village if these volumes cannot be reasonable estimated.
2. Metering devices for determining the volume of water (where required), shall be installed, owned, and maintained by the user. Following approval and installation, such meters may not be removed, unless service is canceled, without the consent of the Village.

Sec. 8 Deposit Fee: There shall be and there is hereby established a deposit fee of **seventy-five (75.00)** dollars. The village, to insure payment of all fees and bills, shall retain the deposit of **seventy-**

five (75.00) dollars until such time as the current owner of the property permanently discontinues water service with the Village. When the service to the applicant is permanently discontinued and all fees and bills are paid in full, a refund of the remainder of the deposit shall be made without interest, less any fees and bills due.

	May 2023 \$120 per month Jan 2024 \$150 per month
Commercial 3	\$53.50 per month May 2023 \$160 per month Jan 2024 \$200 per month
Institutional/School	\$637.15 per month May 2023 \$1300 per month Jan 2024 \$2000 per month

Residents will be charged \$30 annual fee for filling and maintaining swimming pools with a water depth of twenty-four inches (24”) or more and/or a diameter of twelve feet (12’) or more

Please note: Rate also listed on Ordinance Title 8, Chap 7, Subchapter 10, Section 14 and Ordinance Title 7, Chap 3, Section 2

18

General Provisions

I The waterworks system shall be owned and operated by the village as a Village water utility and all improvements and extensions to the water systems, either or both, shall be considered as improvements and extensions to the water utility; and all the properties, assets, obligations and liabilities, of all kinds, of said waterworks system existing, outstanding and accruing or to accrue, shall be held, used, confessed and acknowledged as the properties, assets, obligations and liabilities of said water utility and shall be the responsibility of the Village Public Works Department.

Sec. 2 Bills: The Village Utility Clerk, annually in booklet form, shall send out a water service payment book. It shall be the responsibility of the customer to advise the Village of the billing address. The customer shall not be relieved of liability because a bill was not received.

SUBCHAPTER

Sec.

Water use charges for service shall be payable once per month for twelve (12) periods or by the use of a single annual payment. The owner of the premises shall be severally liable to pay for the service to such premises and the service is furnished to the premises by the Village only upon the condition that the owner of the premises is severally liable to the Village.

Sec. 3 Delinquent Bills: All water bills are due and payable on the tenth (10th) day of each month. A penalty of five (5.00) dollars shall be added to all bills not paid by the tenth (10th) day of the month. On the second delinquent month and a first late notice shall be sent to the customer by U.S. Mail. If payment is not received by the tenth (10th) day of the third month a third penalty of five (5.00) dollars shall be added to the bill and final notice shall be sent by U.S. Mail.

If the charges for such services, including penalties, are not paid in full on or before the last day of the month after said customer receives the certified letter, water service shall be shut off with a disconnection fee of Fifty (50.00) dollars. Such services shall be discontinued without further notice and shall not be reinstated until all claims are settled and a reinstatement fee of Fifty (50.00) dollars is paid in full.

Sec. 4 Lien-Notice of Delinquency: It shall be the policy of the Village to exercise its lien rights under 65 ILCS 5/11-139-8 and to sue the customer to collect the amounts due plus a reasonable attorney's fee, to be fixed by the court.

Sec. 5 Revenues: All revenues and moneys derived from the operation of the water system shall be deposited in the water account of the water fund. All such revenues and moneys shall be held by the Village treasurer separate and apart from any private funds and separate and apart from all other funds of the Village and all said sum, without any deductions whatever, shall be delivered to the treasurer not more than ten (10) days after receipt of the same, or at such more frequent intervals as may from time to time be directed by the Village board.

The Village treasurer shall receive all such revenues from the water system and all other funds and moneys incident to the operation of such system as the same may be delivered to him/her and deposit the same in the account of the fund designated as the "Water Fund" of the Village.

Said treasurer shall administer such fund in every respect in the manner provided by the statute of the "Revised Cities and Villages Act," effective January 1942.

Sec. 6 Accounts: The Village Treasurer shall establish a proper system of accounts and shall keep proper books, records, and accounts in which complete and correct entries shall be made of all transactions relative to the water system, and at regular annual intervals he/she shall cause to be made and audit by an independent auditing concern of the books to show the receipts and disbursements of the water system.

In addition to the customary operating statements, the annual audit report shall also reflect the revenues and operating expenses of the water facilities, including a replacement cost, to indicate that water service charges under the water cost recovery system do in fact meet these regulations. In this regard, the financial information to be shown in the audit report shall include the following:

1. Flow data showing total gallons pumped at the water plant for the current fiscal year.
2. Billing data to show total number of gallons billed per fiscal year.
3. Debt service for the next succeeding fiscal year.
4. Number of users connected to the system.
5. Number of non-metered users.

Sec. 7 Penalty: Any person or entity who is found guilty of violating any provisions of this Subchapter shall be fined not less than fifty (50) dollars, nor more than five hundred (500) dollars. Each day for which a continuing violation occurs shall be deemed a separate offence for purposes of this provision.

Sec. 8 The USEPA and the IEEPA or their authorized representative shall have access to any books, documents, papers, and records of the Village which are applicable to the Village system of user charges for the purpose of making audit, examination, excerpts, and transcriptions thereof to insure compliance with the terms of any Special and General Conditions to any State Grant and/or Loan Agreement and Rule of any State Loan.

SUBCHAPTER

19

Effective Date of Rates

- Sec. 1 The rates and service charges established for user charges in this chapter shall be effective as of the next succeeding billing period after approval of ordinance.

SUBCHAPTER 20

Validity

- Sec. 1 That if any section, paragraph, clause, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.
- Sec. 2 Contract: The ordinances, rules and regulations and water rates adopted by the village shall be considered a part of the contract with every person supplied with water by the water system of the village, and the consumer and property owner, by taking water, contracts with the village to abide by these rules and regulations in this title.

SUBCHAPTER 21

Appeals

- Sec. 1 The method for computation of rates and service charges established for user charges in Subchapter 17 shall be made available to a user within five (5) normal business days of receipt of a written request for such. Any disagreement over the method used or in the computations there of shall be remedied by arbitration within ninety (90) days after notification of a formal written appeal outlining the discrepancies.

APPENDIX NO. 1 DEFINITIONS

DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

"Act" means the Environmental Protection Act (415 ILCS 5/1 (1994)).

"Administrator" means the administrator of the U.S. Environmental Protection Agency.

"Agency" means Illinois Environmental Protection Agency.

"Approved" means backflow prevention devices or methods approved by the Research Foundation for Cross-Connection Control of the University of Southern California Association of State Sanitary Engineers, American Water Works Association, American National Standards Institute or certified by the National Sanitation Foundation.

"Approving Authority*" means the Village Board of the Village of Dakota or its authorized representatives.

"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.

"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.

"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 Illinois Environmental Protection Agency, as amended.

"Basic User Charge" shall the basic assessment levied on all users of the wastewater system.

"Board" means the Illinois Pollution Control Board.

"Capital Improvement Charge" shall mean a charge levied on users to improve, extend, or reconstruct the sewage treatment works.

"Charging or assessing" includes, but is not limited to, the billing or collecting of money or any other compensation for the use of any unit or units of water as measured by metering devices which are not owned and regulated by the village.

Clarification of word usage: "shall" is mandatory; "may" is permissible.

"Commercial User" shall include transit lodging, retail, and wholesale establishments or places engaged in selling merchandise, or rendering services.

"Consumer" or "customer" means the owner, official custodian or person in control of any premises supplied or in any manner connected to the municipality's water system.

"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.

"Contamination" means an impairment of the quality of the water by entrance of any substance, to a degree, which could create a health hazard.

"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.

1. "Direct cross-connection" means a cross-connection formed when a water system is physically joined to a source of unknown or unsafe substance.
2. "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.

"Debt Service Charge" shall be the amount to be paid each billing period for the payment of interest, principle, and coverage of any loans, bonds, or other debt outstanding on the wastewater collection or treatment system.

"Director" means the director of the Illinois Environmental Protection Agency.

"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.

"Easement" means an acquired legal right for the specific use of land owned by others.

"Fire service line" as used in this ordinance means the water pipe that is connected directly or indirectly to the village water supply system and which provides water solely as a fire suppressant through a fire suppression system required to be installed pursuant to the village building or fire codes.

"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.

"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 use that could be expected to result in death or significant reduction in the quality of life.

"Institutional User" shall include schools, churches, penal institutions, and users associated with Federal, State, and Local Governments.

"Inspection" means a plumbing inspection to examine carefully and critically all materials, fixture, piping, and appurtenances, appliances and installations of a plumbing system for compliance with requirements of the Illinois Plumbing Code, 77 Ill. Adm. Code 890.

"Local Capital Cost Charge" shall mean charges fro costs other than the operation, maintenance, and replacement costs, i.e. debt service and capital improvement costs.

"Maximum Setback Zone" means the area around a community water supply well established under Section 14.2 of the Environmental Protection Act (415 ILCS 5/1 (1994)) and noted on the map in Appendix 3.

"Minimum Setback Zone" means the area around a community water supply well established under Section 14.3 of the Environmental Protection Act (415 ILCS 5/1 (1994)) and noted on the map in Appendix 3.

"Natural outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface water.

"Non-potable water" means water not safe for drinking, personal or culinary use as determined by the requirements of 35 Ill. Adm. Code 604.

"Ordinance" mean this ordinance.

"Person" means any and all persons, natural or artificial including any individual, firm, company, public or private corporation, association, society, institution, enterprise, governmental agency or other entity.

"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(s), work(s) or assemble(s). "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(s), work(s) or assemble(s) from the point of connection of such building drain to the building sewer or private sewage disposal system five feet beyond the foundation walls.

"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.

"Potable water" means water that meets the requirements of 35 Ill. Adm. Code 604 for drinking, culinary and domestic purposes, as amended.

"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.

"Process fluid(s)" means any fluid or solution which may be chemically, virologically 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 consumers potable water system.

This includes, but not limited to:

1. Polluted or contaminated waters;
2. Process waters;
3. Used waters originating from the public water supply system which may have deteriorated in sanitary quality;
4. Cooling waters;
5. Questionable or contaminated natural waters taken from wells, lakes, streams or irrigation systems;
6. Chemicals in solution or suspension;
7. Oils, gasses, acids, alkalis or other liquid and gaseous fluids used in industrial or other processes or for firefighting purposes.

"Public water" means water in which all owners of abutting properties have equal rights of connection and use, and is operated, maintained and controlled by the Village or other public agencies.

"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 service connections or which regularly serve at least twenty-five persons at least sixty days per year. A public water supply is either a "community water supply?" or a "non-community water supply."

"Reduced pressure principle backflow prevention device" means a device containing a minimum of two independently acting check valves together with an automatically operated pressure differential relief valve located between the two check valves and approved under ASSE Standard 1013.

"Resell or resale" means charging or assessing, either for profit or in excess of the rate charged by the village, any consumer of water based on any unit or units of water used as measured by metering devices which are not owned and regulated by the village.

"Replacement" shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances, which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.

"Residential User" shall mean all dwelling units such as houses, mobile homes, apartments, or multifamily dwellings.

"Service connection" means the opening, including all fittings and appurtenances at the water main through which water is supplied to the user.

"Superintendent of Public Works" means the person or persons appointed by the Village Board to oversee, control, maintain, adjust, repair, test, and inspect the Village water and/or sewage systems and all related or connected private systems.

"Surcharge" shall mean the assessment in addition to the basic ^Nuser charge and debt service charge which is levied on those persons wastes are greater in strength than the concentration values established.

"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.

"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.

"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.

"User Charge" shall mean a charge levied on all users of the wastewater system for the cost of operation, maintenance, and replacement.

"User Class" shall mean the type of user as herein defined.

"Useful Life" shall mean the estimated period during which the collection system and/or treatment works will be operated.

"Village" means the Village of Dakota.

"Water" shall mean a pipe or conduit for conveying sewage or any other waste liquids, including storm, surface, and groundwater drainage.

"Water purveyor" means the owner or official custodian of a public water system.

"Water Service Charge" Shall be the charge per quarter or month levied on all users of the wastewater system and consists of the Basic user charge, local capital cost, and surcharge.

"Water Fund" is the principle accounting designation for all revenues received in the operation of the water system.

APPENDIX NO. 2
WATER PERMIT APPLICATIONS

Residential Water Permit Application
Commercial and Institutional Water Permit Application

RESIDENTIAL BUILDING WATER APPLICATION

To the Village of Dakota:

A. THE UNDERSIGNED, being theof the property located at

(Owner, Owner's Agent)

DOES HEREBY REQUEST a permit to

(Address) (Install, Use) a building to serve the residence at said location. _____

1. The following indicated fixtures will be connected to the proposed building water:

Number	Fixture	Number	Fixture
_____	Kitchen Sink	_____	Kitchen Disposal/Grinder
_____	Dish Washer	_____	Bathroom Sink
_____	Toilet	_____	Urinal
_____	Bathroom Shower	_____	Bathroom Tub
_____	Laundry Tub	_____	Clothes Washer
_____	Other	_____	

(Specify)

2. The maximum number of persons who will use the above fixtures are: _____

3. The name and address of the person or firm who will perform the proposed work is:

4. Plans and specifications for the proposed building sewer are attached hereunto as "Exhibit A".

B. In consideration of the granting of this permit, THE UNDERSIGNED AGRES:

1. To accept and abide by all provisions of the Village Code of the Village of Dakota and of all of the pertinent ordinances or regulations that may be adopted in the future.
2. To maintain the building water at no expense to the Village.
3. To notify the Village when the building water is ready for inspection and connection to the public water system, but before any portion of the work is covered.

DATE: SIGNED:

 (Applicant Signature)

 (Address of Applicant)

Connection fee paid

 (Check)

Inspection fee paid

 (Check)

Reconnection fee paid

Application is approved and permit issued:

 SIGNED: TITLE:
 _____ (Approving Authority)

DATE:

COMMERCIAL & INSTITUTIONAL BUILDING WATER APPLICATION

To the Village of Dakota:

A. THE UNDERSIGNED, being the owner of the property located at

 (Owner, Lessee, Tenant, etc.)

DOES HEREBY REQUEST a permit to

 (Address) (Install, Use) a commercial or industrial water connection for to serve

 (Potable Water, Fire Protection)

, which company is engaged in

(Name of Company) (Type of Business) at said location.

1. A plat of the property showing accurately all water mains now existing is attached hereunto as "Exhibit A".
2. Plans and specifications for the proposed building water are attached hereunto as "Exhibit B".
3. The name and address of the person or firm who will perform the proposed work is:

B. In consideration of the granting of this permit, THE UNDERSIGNED AGREES:

1. To accept and abide by all provisions of the Village Code of the Village of Dakota and of all of the pertinent ordinances or regulations that may be adopted in the future.
2. To maintain the building water at no expense to the Village.
3. To notify the Village when the building water is ready for inspection and connection to the public water system, but before any portion of the work is covered.

DATE: SIGNED:

(Applicant Signature)

(Address of Applicant)

Connection fee paid

(Check)

Inspection fee paid

(Check)

Reconnection fee paid

(Check)

Application is approved and permit issued:

SIGNED: _____

TITLE:

(Approving Authority)

DATE:

APPENDIX NO. 3
SETBACK ZONE MAP

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ATTACHMENT A

MAP

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MAXIMUM SETBACK ZONE

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