

## CHAPTER 1

**WATER USE AND SERVICE**

## SECTION:

- 8-1- 1: Application For Water Service; Permit To Connect; Water Taps
- 8-1- 2: Location Of Fixtures
- 8-1- 3: Specifications
- 8-1- 4: Excavations
- 8-1- 5: Approval Of Plumbing Work
- 8-1- 6: Meters
- 8-1- 7: Hydrants, Sprinklers And Private Fireplugs
- 8-1- 8: Use Of Water During Building Construction
- 8-1- 9: Rates And Charges
- 8-1-10: Bills For Service; Delinquencies
- 8-1-11: Disconnection Of Service For Absence From Village
- 8-1-12: Cross Connection Control
- 8-1-13: Nonliability Of Village For Interrupted Service Or Damages
- 8-1-14: Contract With Village
- 8-1-15: Penalty

**8-1-1: APPLICATION FOR WATER SERVICE; PERMIT TO CONNECT; WATER TAPS:**

- A. Permit Required To Connect; Fees: Written authorization shall be required in all cases where any person, corporation or association shall connect to the village water system. Any hookup of water shall create a charge of twenty five dollars (\$25.00) to be paid at the time the completed application sheet is turned in to the collector's office and before the water is turned on. A transfer of service from one village resident to another village resident will also create a charge of twenty five dollars (\$25.00). (Ord. 2005-2, 10-3-2005)
- B. Application For Service: Parties desiring to use water from the village waterworks shall make written application to the superintendent upon printed blanks furnished by him, and must subscribe to and agree to be bound by this chapter.

- C. Issuance Of Permit: If no valid objection exists, the superintendent shall issue to the plumber selected by such applicant a permit to perform the work. (1993 Code p. 63 § 403.4-4; amd. Ord. W403-7-2, 2-1-1988)
- D. Water Taps: In installing a water service, the village shall tap the main and insert at such tap a stopcock known as the corporation cock and lay the service pipe from the main to a point inside the curb line, or within six feet (6') of the lot line if no curb line is established, and shall place at such point a stopcock known as the curb cock, within a covered iron box rising to the surface of the ground. The pipe shall be copper or one hundred sixty (160) psi plastic/poly. The village shall charge the entity requesting such a service the amount it shall expend for the time and materials paid to a nonvillage entity. Other and extra charges shall be made in the event the connection shall present radical procedures. (Ord. 2017-02-06, 2-6-2017)
- E. Meter Property Of Village: The meters mentioned herein shall be the property of and shall belong to the village.
- F. Limit On Responsibility For Costs: No installation, as above provided, shall be made by the village for a distance of more than seventy five feet (75') from the water main unless the added costs are paid by the party applying for the above service.
- G. Subdivisions: In the event any person shall make an addition or subdivision to the village, said subdivider shall pay one-half ( $\frac{1}{2}$ ) of the costs of installation of water supply pipes to said addition in a manner to be specified by the village president and trustees. (1993 Code p. 63 § 403.4-4)

8-1-2:           **LOCATION OF FIXTURES:** Hydrants, faucets, and any other device which the consumer may adopt for obtaining water from water pipes must be placed inside the property line, but the water committee may permit the location of the same along business property in the street. (1993 Code p. 64 § 403.4-8)

8-1-3:           **SPECIFICATIONS:**

- A. All service pipes extending from the corporation cock to the meter shall be of copper or one hundred sixty (160) psi plastic/poly. All

copper pipe used in such service installations shall be made of the weight known as "extra strong". (1993 Code p. 56 § 403.1-5; p. 64 § 403.4-11; amd. 2006 Code)

- B. A four inch (4") main shall receive no larger than a five-eighths inch ( $\frac{5}{8}$ " ) tap; a six inch (6") main shall receive no larger than a three-fourths inch ( $\frac{3}{4}$ " ) tap; and no tap in any main shall be larger than one inch (1"). Where larger connections are required, two (2) or more taps of the above size may be made and staggered along the main. All taps shall be at least twenty four inches (24") apart, and no tap shall be made within twelve inches (12") of a joint in mains. The corporation cock tapped into the main shall be one-eighth inch ( $\frac{1}{8}$ " ) smaller than the service pipe therefrom. (1993 Code p. 64 § 403.4-12)
- C. Interior plumbing may be of such kind as the applicants desire but must withstand a pressure of one hundred (100) pounds to the square inch and be subject to the inspection of the superintendent and approved by him before the water will be turned on. (1993 Code p. 56 § 403.1-6; p. 64 § 403.4-13)
- D. In all new plumbing where self-closing cocks are installed, air chambers must be provided for each outlet, which air chambers must be of standard size for the outlet. (1993 Code p. 64 § 403.4-14)
- E. There shall be a stop and waste cock with lever handle attached to every supply pipe at the point where it enters a building so as to allow the water to be shut off in freezing weather and the pipes drained. (1993 Code p. 64 § 403.4-15)

**8-1-4: EXCAVATIONS<sup>1</sup>:**

- A. Permit Required: No excavation shall be made on a public street or alley without permission of the superintendent.
- B. Deposit: Any person who is not a contractor licensed by the village who intends to make any such installation shall make a deposit of fifty dollars (\$50.00) before initiation of such construction project. In the event said construction project is completed to the satisfaction of the village authority in charge, said deposit shall be refunded. (1993 Code p. 63 § 403.4-4)

---

1. See also sections 5-3B-7 and 7-1-5 of this code.



- C. Manner Of Excavation: In laying and repairing service pipes, the streets shall be opened in the manner which will occasion the least inconvenience to the public and admission of the uninterrupted passage of waters along the gutters of the street. (1993 Code p. 64 § 403.4-16)
- D. Nighttime Excavations: No excavation in any public place shall be open overnight except by permission of the superintendent, and where the same shall be left open, lights shall be provided at such excavations and be kept burning from dusk to daylight. (1993 Code p. 65 § 403.4-17)
- E. Open Excavations Over Twenty Four Hours; Improper Work: Should any excavation in any street, alley or public place be left open for twenty four (24) hours, except by permission of superintendent, or should the work be improperly done, the superintendent shall have the right to finish or correct the work, and the expense thus incurred shall be charged to the plumber whose work is thus finished or corrected, and shall be paid by such plumber before he shall be granted another permit. (1993 Code p. 65 § 403.4-18)
- F. Restoration Of Excavated Area:
1. Any person making an excavation in the village for installation of water mains or water service shall restore the street or alley to its original condition under the direction of the superintendent. (1993 Code p. 63 § 403.4-4)
  2. The street and pavement shall be restored to as good condition as it was previous to making such excavation and as required by ordinances pertaining to excavations<sup>1</sup> and all rubbish removed as soon as the work shall be completed. (1993 Code p. 65 § 403.4-17)

8-1-5: **APPROVAL OF PLUMBING WORK:** All plumbing shall be done in the manner required by the superintendent and shall be approved by him before water shall be turned on, and all fittings and pipes shall be in like manner subject to his approval, and no work underground shall be covered until examined and approved by him. (1993 Code p. 65 § 403.4-19)

---

1. See section 7-1-5 of this code.

**8-1-6: METERS:**

- A. **Metered Water Required:** All water furnished by the village for private consumption must flow through a meter and will be charged for at the rates herein established. (1993 Code p. 65 § 403.4-25)
- B. **Reading Meters, Inspections, Repairs And Tests:**
  - 1. The superintendent and any member of the water committee or person by them authorized shall have free access at all reasonable hours to the premises of the consumer for the purpose of reading the meter or inspecting piping and fittings connected therewith. The meter may be removed at any time for repairs or testing its accuracy, and when a meter shall have been found inaccurate in measurement and unfit for further use, such meter shall be replaced at once with an approved meter. (1993 Code p. 65 § 403.4-27)
  - 2. The superintendent shall examine and test any meter furnished by the village whenever requested to do so by the consumer. Should the meter register two percent (2%) in excess of the amount of water that passes through it, the expense of such test shall be borne by the village, but if the meter registers less than two percent (2%) in excess of the amount of water flowing through it, a charge of not to exceed twenty five dollars (\$25.00) shall be made and paid by the consumer to the village for such test. (1993 Code p. 66 § 403.4-29; amd. 2006 Code)
- C. **Location Of Meters; Obstructions:** The occupants of any building or premises where a meter is located shall keep the same free from obstruction, and the meter shall be located in an accessible place at all times for reading, inspection and repairs, and in case of such obstruction, the superintendent may shut off the water from the premises until the obstruction shall be removed. (1993 Code p. 66 § 403.4-30)
- D. **Protection Of Meters:** If a meter is placed where, under any condition, it may be exposed to a back pressure of steam or hot water, it shall be protected therefrom by a check valve. (1993 Code p. 66 § 403.4-31)
- E. **Repair And Replacement Of Meters:**
  - 1. After meters are once placed in service, no person shall be allowed to take away, repair, or replace the same except the person



duly authorized to do so by the superintendent or water committee. (1993 Code p. 66 § 403.4-32)

2. Such repairs or alterations as the superintendent shall direct shall be made on all supply pipes, stop cocks and all attachments and fixtures from the meter to the curb cock at the expense of the consumer. (1993 Code p. 66 § 403.4-33)

- F. Tampering With, Breaking Seal: No person not authorized by the superintendent shall tamper with or break the seal of any meter. (1993 Code p. 65 § 403.4-26)

**8-1-7: HYDRANTS, SPRINKLERS AND PRIVATE FIREPLUGS:**

- A. Stop Cock Required: No person shall install hydrants, sprinklers or private fireplugs without a stop cock. (1993 Code p. 65 § 403.4-21)

- B. Permit Required For Use:

1. No person, other than the superintendent, fire chief and/or fire department personnel, shall open any public hydrant, fireplug, street washer or other public water outlet except in case of fire, nor take or use water for private purposes from any such outlet without a permit for such use first being obtained. (1993 Code p. 65 § 403.4-22; amd. 2006 Code)

2. Any water purchased from a fire hydrant must be with permission of the water department and will be charged at the same rate as residential water.

- C. No Delegation Of Authority To Open: No person authorized to open hydrants or valves in public places shall delegate his authority to another, suffer any other person to take wrenches therefor from his possession or control or place where the same are kept, except for use by the fire or water department of the village. (Ord., 10-14-2004)

**8-1-8: USE OF WATER DURING BUILDING CONSTRUCTION:**

- A. Permit Requirements: Persons intending to build or repair any building who require water from the waterworks shall make application to the superintendent, furnishing a certificate of the architect or builder of the amount and kinds of materials to be used in such work, and the other uses for which water will be required,

and pay the schedule rates therefor. The Superintendent shall thereupon grant a permit to the applicant for the use of water for such work to the extent of the work returned by the architect or builder. Any abuse of this privilege or neglect, to guard against the use of such water for other than the purposes specified in the permit, shall subject the applicant to having the water cut off. (1993 Code p. 64 § 403.4-9)

- B. Supply Of Water; Costs: When connection is made to supply water for building purposes, the service pipe shall be carried at the expense of the person holding the permit to the inside of the curb line within six feet (6') of the street line where a curb cock shall be placed with a pipe leading to the surface, the faucet of which shall be kept covered and locked when not in use. When building is completed, the faucet and pipe shall be taken up and the water shut off at the curb cock. (1993 Code p. 65 § 403.4-20)

8-1-9: **RATES AND CHARGES:**

- A. Village Residents: The water rates for the Village are hereby established to provide a twenty dollar (\$20.00) minimum charge for the first two thousand (2,000) gallons of water used and \$0.004 for each additional gallon used. These rates shall be determined by the water meters installed. (Ord. 2017-04-03, 4-3-2017, eff. 4-27-2017)
- B. Agricultural Use: Services for water furnished to special meters on property within the Village which are used only for the purpose of maintaining livestock owned and maintained by residents of the Village and maintained within the Village, and for water furnished at special meters installed within the Village for such purposes to be used for agricultural purposes of a commercial nature of the user, shall be charged at water rates only, and no sewage charge shall be made. Provided however that none of such water shall in any way be discharged into the public sewer or drain system of the Village.
- C. Nonresidents Of Village: Nothing herein shall prohibit the practice of providing water service to nonresidents of the Village to areas contiguous to the Village. Such charges shall be at the contractual price and conditions agreed upon between the Village and the consumer. (1993 Code p. 21 Ord. W403-9-1, 10-5-1987)
- D. Water Leaks: In the event of a water leak, the customer will be billed an average of the past six (6) months' water bills, not including the billing in question, plus a ten dollar (\$10.00) charge. This will only be



done after it has been determined by the Village Superintendent that an actual leak does exist. On future billings, after this initial adjusted billing, if the leak is not repaired by the water customer, the full amount due the Village will be chargeable. It is further stipulated that this policy will not be effective unless the water customer reports to the Village Superintendent the possibility of the leak, and the Superintendent confirms the existence of such leak. (Ord., 10-14-2004)

**8-1-10:       BILLS FOR SERVICE; DELINQUENCIES:**

- A.    Payment Of Bills; Penalty And Lien For Nonpayment: All bills for water service shall be payable monthly or bimonthly as the President and Trustees shall direct. Any bill not paid by the tenth day of the month following the month of use, or billing, as the case may be, shall have added thereto the sum of ten percent (10%) per month as a penalty. In addition thereto, all unpaid water bills shall constitute a lien against the premises on which installed. Upon the application for any water facility, the owner of said property shall be notified in writing by the Village Superintendent, as directed by the Village President and Trustees. Such notice to the owner of said property shall state that if any bills for the use of water service shall become delinquent, the same shall constitute a lien against said premises.
- B.    Change Of Location Of Service:
  - 1. Any person moving into a property between the twenty fifth of one month and the fifth of the following month shall not be charged an extra minimum charge. At any other time, the hookup fee and at least the minimum amount will be charged.
  - 2. For those who own rental property, there will be two (2) weeks from the date the renter moves off the premises allowed for cleanup without charge. Said owner shall have fifteen (15) days to satisfy any service billing. Failure of the owner to satisfy said billing within the time allowed may result in a violation or assessment of lien against the premises to be filed against the owner. (Ord., 10-14-2004)
- C.    Checks Returned For Insufficient Funds: If a check used to satisfy a bill for water, sewer or any other service provided by the Village is returned for any reason unpaid, these services will be terminated immediately. If the check is not taken care of within ten (10) working days, it will be turned over to the Henderson County State's



attorney. A reconnect fee of twenty five dollars (\$25.00) and a returned check fee of twenty five dollars (\$25.00), plus bank charges, will be charged and must be paid before water service is restored. (Ord. 2005-2, 10-3-2005)

- D. Discontinuance Of Service; Reconnection Fee; Grievances: Any water bill, or bill for water or sewer service, or installation, which remains unpaid for a period of fifteen (15) days or the twenty fifth day of the month following the month of use, shall be cause for immediate disconnection of said service. In such event, the superintendent shall notify the occupant and owner of said premises, by way of the postal service, of the delinquency. A fee of fifty dollars (\$50.00) to reconnect such service shall be charged. The first notice of delinquency shall notify the responsible party that in the event of disagreement in regard to the bill for such water service, or for water or sewer service, the party shall have the right to request a hearing on the same. If such hearing is requested, the village board water committee shall advise the complainant of the date, time and place of such hearing, at which time and place the superintendent shall hear said case on its merits. The chair of the water committee is hereby appointed hearing officer for such purposes and shall decide said case and reduce his determination to writing and shall give a copy of such decision to the complainant in person if such person is present and/or, within twenty four (24) hours thereafter, mail a copy to the complainant at the last known address for such person. If the decision shall be adverse to the complainant, such service shall be terminated not sooner than forty eight (48) hours after the hour of determination of such matter by the hearing officer. (Ord. 2015-04-06, 4-6-2015)

E. Charges A Lien:

1. Whenever a bill for water or sewer service remains unpaid after the twenty fifth day of the month following the month of use or billing, as the case may be, the village treasurer shall file with the county recorder of deeds a statement of lien claim. This statement shall contain the legal description of the premises served, the amount of the unpaid bill, and a notice that the village claims a lien for this amount as well as for all charges subsequent to the period covered by the bill.

2. If the user whose bill is unpaid is not the owner of the premises and the village treasurer has notice of this, notice shall be mailed to the owner of the premises who will have ten (10) days within which

to satisfy the water or sewer bill. (Ord. W201, 3-17-1986; amd. 2006 Code)

8-1-11:       **DISCONNECTION OF SERVICE FOR ABSENCE FROM VILLAGE:** No disconnection of water supply for vacation purposes shall create any reduction in water and/or sewer charges. In such event, the water supply may be disconnected by the user with approval of the village, but the minimum monthly or bimonthly charge for water and sewer services shall be charged. (Ord. W403-7-2, 2-1-1988; amd. 2006 Code)

8-1-12:       **CROSS CONNECTION CONTROL:**

- A.     Determination Of Necessity Of Backflow Prevention Device; Installation Required: If, in accordance with the Illinois plumbing code or in the judgment of the superintendent of water, an approved backflow prevention device is necessary for the safety of the public water supply system, the superintendent of water will give notice to the water customer to install such an approved device immediately. The water customer shall, at his own expense, install such an approved device at a location and in a manner in accordance with the Illinois plumbing code and local regulations.
- B.     Secondary Water Supplies: 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 enters 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.
- C.     Surveys And Investigations To Determine Hazards: It shall be the duty of the superintendent of water to cause surveys and investigations to be made of industrial and other properties served by the public 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 superintendent of water shall deem necessary. Records of such



surveys shall be maintained and available for review for a period of at least five (5) years.

- D. **Entry Powers Of Inspectors:** The approved cross connection control device inspector shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the village for the purpose of verifying the presence or absence of cross connections, and the water superintendent or his authorized agent 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 Stronghurst water department 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 superintendent of water any information which he may request regarding the piping system or systems or water use on such property. The refusal of such information, when demanded, shall, within the discretion of the superintendent of water, be deemed evidence of the presence of improper connection as provided in this section.
- E. **Discontinuance Of Service For Violations:** The superintendent of water is hereby 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 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 a reconnection fee of twenty five dollars (\$25.00) 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 system exists. Such action shall be followed by written notification of the cause of disconnection.
- F. **Contaminated Water; Costs To Consumer:** 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, must bear the cost of cleanup of the potable water supply system. (Ord. C453, 8-4-2003, eff. 8-4-2003)

8-1-13:       **NONLIABILITY OF VILLAGE FOR INTERRUPTED SERVICE OR DAMAGES:** No claim shall be made against the village by reason the breakage of any main water pipe, service pipe, or other fixtures, or for any interruption of the supply by the occasion of the breakage of machinery or stoppage for repairs, and the village reserves the right to shut off the water without notice. (1993 Code p. 64 § 403.4-10)

8-1-14:       **CONTRACT WITH VILLAGE:** The provisions of this chapter shall be a part of the contract of every person, company or corporation who is supplied with water through the water system of the village except where special contract with the village is made through the village board, and the application for water supply shall make this chapter and all other ordinances and regulations concerning the water supply in the village a part of such application and be signed by the applicant. (1993 Code p. 66 § 403.4-37)

8-1-15:       **PENALTY:** Any person violating any of the provisions of this chapter shall, unless otherwise provided, upon conviction, be fined as provided in section 1-4-1 of this code for each offense. (1993 Code p. 66 § 403.4-36; amd. 2006 Code)