

VILLAGE OF CRAINVILLE

Filed

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 WILLIAMSON COUNTY

ORDINANCE NO.2016-01-01
WATER USE ORDINANCE
ADOPTED BY THE
VILLAGE BOARD OF THE VILLAGE OF CRAINVILLE
THIS 12th DAY OF January 2016

Published in pamphlet form by authority of the Village Board of the Village of Crainville,
Williamson County, Illinois, this 12th day of January 12, 2016.

ORDINANCE NO. 2016-01-01

WATER USE ORDINANCE

An Ordinance to Regulate, Restrict and Limit, in the interest of the Public Health and Safety, the use and operation of the Water Works System maintained and owned by or which may become the property of the Village of Crainville and providing penalties for violation thereof.

Be it Ordained by the President and Trustees of the Village of Crainville as follows:

Article I

Purpose

The purpose of this ordinance is to set forth this municipality's policies regarding water line extension, tap-on procedures, and water rates and charges, and to provide regulations for the implementation of those policies.

By enacting this Ordinance all other Village of Crainville ordinance previously enacted which specifically conflicts with the provision herein are hereinafter rescinded.

Definitions

Section 101. Village - shall mean the Village of Crainville, its elected officials and appointed authorized representatives.

Section I02. Building - shall mean any improved property containing a structure which meets anyone of the classifications in Article 1 Sections 103 through 109.

Section 103. Business - shall mean any building used by the occupant for amusement, entertainment, service, professional, retail trade or any other similar purposes except as defined under "Commercial" and Institution."

Section 104. Apartment - shall mean any building containing two (2) or more Single Family dwelling Units and having (1) water connection for all Dwelling Units.

Section 105. Commercial - shall mean any hotel, motel, lodge, tourist home, efficiency apartments, houses or similar building operated primarily as a commercial enterprise for the purpose of rental and lodging on a daily or weekly basis. For determination of rates, each room or series of rooms made available to the general public as a separate entity for overnight accommodation shall be classified as a Rental Unit.

Section 106. Institution - shall mean any building used as a hospital, church, school or similar public facility.

Section 107. Multiple Family Dwelling Unit- shall mean any building containing two (2) or more Single Family Dwelling Units and having individual water connections to each Dwelling Unit.

Section 108. Single Family Dwelling Unit - shall mean any building, house or apartment unit, occupied for living purposes by a single family and owned or leased by the occupant on a continuing basis for thirty (30) days or more per year.

Section 109. Rental Property - shall mean any and all real property that is rented or leased by one group or person from any other group or person for the purpose of living space, commercial, or industrial use.

Section 110. Customer - shall mean any responsible person who makes application to the Village for water service.

Section 111. Customer in good standing - shall mean a customer who has an active account(s) and has not violated the water use ordinance at any time, and has not been cut off for nonpayment for any monthly bill within one year, at time of application for a new service.

Section 112. Non-Payment Fee - shall mean the fee charged to all customers on the disconnect list. This fee cannot be waived, and applies, regardless of connection status.

Section 113. Water Tap- shall mean water service installation.

Section 114. Services- shall mean the delivery of potable water through an authorized and approved water connection, account record keeping, billing, and all work associated therewith.

Section 115. Water Connection- shall mean all materials including valves, pipe, fitting, meter, and meter box necessary to convey water from the waterworks system to the most convenient property line of the customer.

Section 116. Waterworks System- shall mean all property, well equipment, pumps, piping, water storage tanks, water connections, records, structures, and any other associated appurtenances necessary to provide water service owned and operated by the Village of Crainville.

Article II

Connection to Water System Required:

Section 201. Except as specifically provided otherwise, no person shall maintain any private water supply system in this municipality. Under no circumstance shall any part of the waterworks system be connected in any way with any other water source except as specifically approved in writing by the Village Board. Any hazardous connection between the Waterworks System and any source of contamination is expressly prohibited. Where a public water main is not reasonably accessible in any area under the jurisdiction of this municipality, each building in such area shall be served by a potable water supply system which conforms to the regulations of the Illinois Department of Public Health. Reasonable accessibility to a public water main shall be deemed to exist where the water main is located in any street, alley or right-of-way adjacent to or within 100 feet of any lot line of the parcel on which said building is situated.

Section 202. Whenever a public water main becomes available to property served by a private water supply system, connection shall be made to the public water main in accordance with the provisions of this ordinance, and the use and maintenance of said private water supply system shall be discontinued.

Article III

General

Section 301. Each water customer shall make application to the Village for service by completing the standard contract of the Village. A photo ID will be required to establish service. Contracts must be completed in person, no exceptions. A \$100.00 for renters and \$60.00 for homeowners deposit will be charged and service will not be established until the deposit is received.

Section 302. It shall be unlawful and a violation of this ordinance for any person, or persons to damage, deface, alter, change, or tamper with any part of the waterworks system or water connection in any way. Any person found to violate this section, in addition to herein stated, shall be subject to a \$250.00 by day penalty. The water meter shall be removed, and service discontinued. The charge for removal and reinstallation shall be \$250.00, labor costs, plus payment of any delinquent bill. This includes using the water meter curb stop owned by the Village. The Village reserves any other civil and criminal remedies available by state and federal law.

Section 303. The Village reserves the right to discontinue service immediately, and remove or sever the water connection, if it is found that any provision of this Ordinance has been violated.

Section 304. It shall be unlawful and a violation to this ordinance for any person to make any connection to the waterworks system or to reconnect service when it has been discontinued for violation of this ordinance, or any other reason except where specifically approved in writing by the Village with said approval being contingent upon satisfaction of all articles of this ordinance

Section 305. When service has been discontinued for violation of this ordinance, including non-payment of bill, all charges for services to date become immediately due and payable. Service will not be reinstated until payment in full of all charges including; bills, cost of repairs, service charges, non-payment fees, penalties, and security deposit, is paid as provided herein.

Section 306. All metered accounts will be read or estimated monthly and billed monthly, unless necessity as determined by the Village dictates otherwise, to the customer from the date service is established, regardless of the number of days of service. If a bill is not paid by the 15th of the month following the date of billing, a 20% penalty will be added. If the bill is not paid in its entirety by the 25th of the month, service will be disconnected and a \$25.00 reconnect fee will be charged. Fees are determined by the Village and are subject to change administratively and without notice.

a. Payment is to be made before the water connection is provided by the Village.

Section 307. No water service shall be furnished to any residence or property from an existing service at another residence. Unauthorized connection will result in termination of water service at the residence with the active account.

Section 308. No claims or demand that the customer may have against the Village shall be considered as an offset against the payments for service as provided under this ordinance.

Section 309. Water service, as provided by this ordinance, is rendered to the customer for the use of the customer in the operation of his residence, rentals, services, business, commercial, or institution. Said service shall not be subleased, assigned, transferred, sold, or disposed of to others, in whole or any part thereof.

Section 310. Each water connection shall require a connection fee as set forth herein. The applicant shall be responsible to all articles of the ordinance regardless of ownership of property being served by that water connection.

Section 311. No water service shall be furnished or rendered free of charge or reduced charge to any customer without written authorization of Village Board.

Section 312. To discontinue service with the Village, the customer must make a request, in writing, to have the service discontinued. The Village has forms, available at the Village Hall,

which can be completed in person, or by mail. Service will not be discontinued until the completed form is received. As long as the customer does not owe the Village payments the deposit will be returned to the customer within two months of discontinued service.

Article IV

Service

Section 401. The Village shall provide personnel to operate the system in number and of skill as required. The Village agrees to use reasonable diligence in providing a regular and uninterrupted supply of water service. In case the supply of water shall be interrupted the Village shall not be liable for any damages sustained by the customer by reason thereof. The Village shall not be liable for any damages to any portion of the customer's service line, plumbing, etc.

Section 402. The Village shall exclusively own all water meters as a part of its water system. The customer shall pay for the tap to the Village to provide such service to connect water to the customer. The Village is NOT responsible for any portion of a service line beyond the discharge meter coupling.

Section 403. If a customer, does not pay a bill for service prior to the 25th of the month, service shall be disconnected, and the water meter shall be locked. The lock shall be removed only when the bill is paid, including delinquent charges. If the lock is removed, cut, bypassed and/or tampered with, or the meter is tampered with, are subject to penalties pursuant to section 302.

Section 404. All services will be metered. Where water meters fail to register, bills shall be estimated. If a meter is tested at the customer's request more than once in any six-month period, the customer shall pay a service charge of \$15.00 for such service but in the event the meter is found to be more than 3% fast, then the customer will have his/her bill adjusted. For remote read meters, the reading on the meter register shall be the reading used for billing purposes.

Section 405. The Village shall have the right to enter the customer's premises without notice for the purpose of making emergency repairs, disconnection or reconnection of service, necessary installations, or reading of meter. The Village shall further have the right to enter the customer's premises for inspection and any other reason for administering reasonable service.

Section 406. The Village will charge for convenience cutoffs and cut-ons. A fee of \$25.00 will be billed for cutoffs and \$25.00 will be billed for cut-ons.

Section 407. In the interest of the public health and safety, the Village shall be permitted to take such emergency action as may be deemed necessary in the operation of the waterworks system. These rights, include but are not limited to, the right to close down any water line or portion of the system for the purpose of making connections, alterations, or repairs.

Section 408. During times of drought, the Village reserves the right to discontinue water service for failure to abide by the water restrictions.

ARTICLE V RECORDS AND BILLING

Section 501. All metered accounts shall be billed and payable monthly.

Section 502. The Village accepts no responsibility for nondelivered bills when same has been mailed by the United States Postal Service. There is a presumption that all bills have been mailed with standard postage.

Section 503. All charges for water services are due and payable at the Crainville Village Hall Water Office in Crainville, Illinois.

Section 504. All bills paid after 5:00 p.m. shall be credited on the following business day.

Section 505. Each account for water service shall be classified for billing purposes at the discretion of the Village according to the definitions contained herein. The customer shall have the right to redress to the Village for purpose of reclassification through presentation of sufficient evidence to the Village.

ARTICLE VI TAPS

Section 601. Full water tap and/or sewer connection fees shall be paid in full before water and sewer service is initially supplied by the Village to a particular property and shall be paid along with building permit fees, when applicable. Water tap and sewer connection fees will be assessed as follows:

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|----------------------|-------------------------|
| a. ¾-inch water tap: | \$1,000.00 |
| b. 1-inch water tap: | \$1,250.00 |
| c. Sewer Connection: | \$350.00 |
| d. Road Cut | \$20.00 per linear foot |

Section 602. Full water tap fees shall be charged in requests for service when:

- a. No Village water service infrastructure has previously existed on a property; OR,
- b. Construction or any other activity performed on the property by the requesting water customer or their agent damages or destroys the Village's water service infrastructure necessitating any work by the Village to restore water service.
- c. Whenever existing Village water service has been interrupted for any reason and a water customer requests renewed service, if the water service infrastructure is intact and not requiring work by the Village to restore service, the customer will pay a standard water reconnect fee of \$25.00.
- d. In addition to any water tap or reconnection fees that may apply, the water customer is solely responsible for any other costs of physical connection or reconnection to the Village's water service infrastructure and sewer system.

This Ordinance shall be known as Ordinance No. 2016-01-01 of the ordinance of the Village of Crainville, Illinois, and shall be in full force and effect from and after its passage, approval, recording and publication in pamphlet form in accordance with law.

Approved: *Ron Mitchell*
Village President

Attest: *Jacquelyn A. Chapman*
Village Clerk

For: 6

Against: 0

Passed: 1-12-16

Approved: 1-12-16

Recorded: _____

STATE OF ILLINOIS)

) ss.

COUNTY OF WILLIAMSON)