

CHAPTER 52: WATER AND SEWERS; RATES AND CHARGES

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Cross-reference:

Department of Public Works, see § 32.15 et seq.
Sewer use regulations; see Chapter 51

GENERAL PROVISIONS

§ 52.01 DIRECTOR OF PUBLIC WORKS

There is created the position of Director of Public Works who shall be appointed by the Village Manager. The Director shall have control and supervision over all employees assigned to that Department.

§ 52.02 DUTIES

The Director shall have charge over all buildings, equipment, and supplies used in the production and treatment of water and in the treatment of sanitary sewage and stormwater. All construction, repair, maintenance, and improvements of plants and facilities shall be under his supervision.

§ 52.03 METERS REQUIRED

All premises using the Village water supply must be equipped with an adequate water meter installed in a location of easy access, furnished by the Village but paid for by the consumer; provided, however, that such water service may be supplied by the Village at a flat rate charge until such meter may be installed. Before any premises are occupied, a water meter shall be installed therein as herein required, or application made for such water service at the flat rate charge until a meter can be installed or not water shall be furnished to such premises. Penalty, see § 10.99

§ 52.04 READING METERS

The Director of Finance shall read, or cause to be read, every water meter used in the Village at such times as are necessary so that water bills may be sent out at the proper time. Forms for the reading of water meters may be submitted to the consumer by the Department of Finance, to be used by the consumer in reporting the meter figures to the Department. In default of a reading by the consumer, submitted on forms supplied, the Director of Finance may read the meter or affix a figure representing the average use of water on subject premises.

§ 52.05 TESTING METERS

Any municipal water meter may be taken out at tested by the Village upon the complaint of a consumer upon the payment of a fee determined and established from time to time by the Board of Trustees. If, upon test, the meter is not within 3% of being accurate, it shall be repaired or replaced and the fee shall be returned to the consumer.

SEWER USER CHARGE FOR INDUSTRIAL AND NONINDUSTRIAL USERS

§ 52.30 AUTHORITY AND GENERAL PURPOSE

(A) This subchapter is promulgated pursuant to the statutory authority contained in ILCS Ch. 65, Act 5, § 11-1-1 and further pursuant to the requirements and conditions of Illinois Grant Project C170663.

(B) The purpose of this subchapter is to establish a sewer user charge system to pay for the operations, maintenance, and replacement of the sewage treatment works of the Village; to establish principles of application, classes of users, procedures, rate bases, manner of revenue collection, penalties for refusal to pay, and procedures or disconnection in the event of nonpayment.

(C) This subchapter supplements the sewer use regulations in Chapter 51 and shall be applied collaterally with the “Sewer User Charge Rate Ordinance,” which is hereby adopted by reference as if set forth fully herein and is available for public inspection in the office of the Village Clerk.

§ 52.31 POLICY; PREAMBLE

(A) *Declaration of policy.* It is hereby declared to be the policy of the Village to adhere to the Special Conditions and General Conditions of State Grant C170663. References to “Conditions” hereinafter refer to the appropriate division of the General Conditions.

(B) *Adoption of authority, purpose, preamble, and general conditions.* The Board of Trustees adopts the authority and general purpose set forth in § 52.30, the preamble of the ordinance on which this subchapter is based set forth in division (C) herein and such assumptions and analyses contained therein as a basis for the establishment of a method of procedure for the assessment and collection of a user charge pursuant to the General Conditions cited in division (A) herein.

(C) *Preamble and considerations.* The Board of Trustees has ordained this subchapter considering the following:

(1) Operation, maintenance, and replacement costs are incurred by the Village for collection, conveyance treatment, and disposal of wastewater from various classifications of users connected to the Village system;

(2) Costs result from, but are not necessarily limited to, labor, utilities, administrative, chemical, supplies, depreciation, and equipment replacement requirements connected with the operation of Village-owned sewers, pumping stations, and treatment facilities;

(3) The conditions contained within Illinois State Grant C170663 provide that an approvable plan and schedule of implementation must be developed for a system of user charges to assure that each recipient of waste treatment services within the applicant’s service area will pay its proportionate share of the costs of operation and maintenance, including replacement;

- (4) The Village has accepted state grant assistance subject to these provisions, a user charge system for all users must be implemented;
- (5) The Board of Trustees has authorized the necessary analyses to determine the various classes of users and the bases for annually determining the user charge applicable to the users in each of the various classes;
- (6) For the purposes of this subchapter, users are to be classified generally as industrial users and nonindustrial users;
- (7) The user charge must result in the distribution of the cost of operation, maintenance, and replacement of the system for each user or user class in proportion to each user's contribution to the total wastewater loading of the system, and that the user charge system must generate sufficient revenue to offset the cost of all system operation, maintenance, and replacement;
- (8) Each year following a formal review and analysis of the funds expended by the Village on operation, maintenance, and replacement for the previous year, the Village shall fix the basis for ascertaining user charges for the subsequent fiscal year;
- (9) The anticipated costs of such operation, maintenance, and replacement shall include all expenditures to be incurred in:
 - (a) The General (Corporate) Fund, not including expenditures for capital improvements;
 - (b) The Illinois Municipal Retirement Fund;
 - (c) The Insurance Fund;
 - (d) The Audit Fund; and
 - (e) Any other fund or funds established for operating purposes;
- (10) It is required, in determining the proportion of each user's contribution to the total wastewater loading of the treatment works, to consider such factors as strength, volume, and delivery flow rate characteristics to ensure a proportional distribution of the operation, maintenance, and replacement costs to each user or user class;
- (11) In determining the actual distribution of the cost of operation, maintenance, and replacement of the system, the most efficient means of determining the distribution among the several classes of users would be to install a 7-day continuous recording flow meter and composite sampler in the building service line of each user to provide accurate information as to each user's contribution to the total wastewater loadings of the system;
- (12) Since the most efficient method of obtaining results is not necessarily the most cost-effective manner of proceeding, the Village has considered all manner of means of determining each user's contribution to the total wastewater loading

and has determined that inasmuch as the majority of user's in the Village's service area are connected to a public water supply system, and since the public water supply system has, as a constituent part in each building, a meter which registers the inflow of water from such public water system to such building, such water meter readings should be utilized to provide a basis for measurement of user contributions for nonindustrial users, where available;

(13) The usual occurrence is that the majority of the water flowing through a meter finds its way to the sanitary sewer system of the building and thence into the sanitary sewer system of the Village;

(14) Such means of measurement, where available, provides the most cost-effective basis of ascertaining the user's contribution to the system, notwithstanding the fact that all water registering on the meter does not necessarily flow into the sewage system;

(15) The Village has determined for each user class the approximate percentage of such water not returned to the sewer system, and, for purposes of administering a sewer system user charge, shall adjust metered water usage accordingly;

(16) For some industrial users, as defined herein, where the Village is required to measure not only volume but strength and flow rate characteristics in order to ensure a proportional distribution of the operation, maintenance, and replacement costs, the Village has determined that such users must install a 7-day continuous recording flow meter and/or a composite sampler in a structure located on the building service line to enable the Village to obtain exact information;

(17) All nonindustrial buildings occupied by one family or less which are on a private well system shall be considered equal and subject to a flat rate estimate of water use;

(18) The total waste flows arriving at the treatment works of the Village are in excess of the combination of water meter readings, waste flow meter readings, and flat rate estimates of all users due to the infiltration and inflow of other waters into the system;

(19) It is necessary to utilize the combination of water meter readings, waste flow meter readings, and flat rate estimates in addition to the number of connections to the system by each class to create a proportionate means of dividing among the several user classes, the total operation, maintenance, and replacement costs attributable to such infiltration and inflow;

(20) The user charges require annual review and revision to reflect actual treatment works operation, maintenance, and replacement costs, and the proportional distribution thereof;

(21) The Village must maintain records to document compliance with the State requirements; and

(22) The Board of Trustees has directed the Village Attorney to prepare the ordinance, upon which this subchapter is based, reflecting the bases which the staff

has determined in accordance with the pertinent provisions of the act of the state under which the Village operates.

§ 52.32 DEFINITIONS

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

AMMONIA-NITROGEN. Ammonia concentration expressed in milligrams per liter as N, contained in wastewater and measured by acceptable methods defined in Title 40, Section 136 of the Federal Regulations.

BOD (denoting BIOCHEMICAL OXYGEN DEMAND). That amount of oxygen expressed in milligrams per liter utilized in five days at 20° C. for biochemical oxidation of the organic matter present in wastewater and measured by acceptable methods defined in Title 40, Section 136 of the Federal Regulations.

COMPOSITE 24-HOUR SAMPLER. A sampling device approved by the Village capable of being installed in a sampling manhole and capable of taking flow proportioned wastewater samples over a continuous 24-hour period.

DEBT SERVICE CHARGE. The nonindustrial debt service unit charge shall be calculated by dividing that portion of interest, principal, and coverage of bonds outstanding allocable to the nonindustrial user class by the “total water used” for the nonindustrial class as determined by water meter readings and shall be expressed in dollars per 1,000 gallons of water use. The “industrial debt service unit charge” shall be calculated by dividing that portion of interest, principal, and coverage of bonds outstanding allocable to the industrial user class by the “total waste discharged” for the industrial user class and shall be expressed in dollars per 1,000 gallons of waste discharged.

DEPRECIATION. The amortization of the original cost of personal property and real property over the anticipated useful life. **PERSONAL PROPERTY** shall mean items of moveable furniture, fixtures, and equipment. **REAL PROPERTY** refers to the building and appurtenances thereto including all items that become an integral part thereof. **REAL PROPERTY** also includes all items which remain at one location for their useful life.

FLAT RATE ESTIMATES. The water estimated to be used, or to have been used, by a structure not equipped with a water meter. Such estimate shall be based upon the Village’s analysis of comparable structures with similar uses and similar number of occupants.

FLOW METER. A fluid measuring device approved by the Village capable of being installed in a sampling manhole and capable of registering continuous flow rates over a 7-day period.

INDUSTRIAL USER. Any user of the sewer system who discharges industrial wastes as defined below or who discharges wastes of normal domestic strength in quantity exceeding 1,000,000 gallons per year.

INDUSTRIAL WASTE. The wastewater discharged, permitted to flow, or escaping from any industrial, manufacturing, commercial, or business establishment or process, or from the development, recovery, or processing of any natural resource as distinct from employees' wastes or wastewater from sanitary conveyance.

INFILTRATION. Extraneous waters entering a sewer system as defined in Title 40, Section 35.905-9 of the Federal Regulations.

INFLOW. Extraneous waters discharged into a sewer system as defined in Title 40, Section 35.905-11 of the Federal Regulations.

MAINTENANCE. All manner of activity necessary including labor, supply, contract repair work, and administrative requirements to maintain the works, assets, and property of the Village for the purpose of insuring its continued and uninterrupted operation.

NONINDUSTRIAL USER. All users not specifically defined as industrial users.

NORMAL DOMESTIC SEWAGE. All household-type wastes discharged from places of human habitation, including sanitary conveniences and kitchen and laundry wastes. Discharge waste strength shall be considered to average 200 mg/l BOD, 250 mg/l suspended solids, and 20 mg/l ammonia nitrogen at a discharge rate of 100 gallons per capita per day. This loading equates to 0.17 pounds of BOD, 0.20 pounds of suspended solids, and 0.017 pounds of ammonia nitrogen per capita per day.

OPERATION. All manner of activity necessary including labor, electrical power, fuel, chemical, supply, and administrative requirements to properly conduct the functions of collection, conveyance, treatment, and disposal of wastewater generated within the Village.

PRIVATE WATER METER. An existing water meter or a meter required to be installed by this subchapter on any privately-owned water supply.

PUBLIC WATER METER. The water meter installed within the water piping system of any building by the Village.

REPLACEMENT. The provision for and the installation of replacement equipment, accessories, or appurtenances which are necessary during the service life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

SAMPLING MANHOLE. A structure installed in the building service line accessible to Village personnel and being capable of housing a flow meter and a composite 24-hour sampler. The construction of such a manhole shall be approved by the Village.

SEWER USER CHARGE RATE ORDINANCE. The ordinance passed and as amended from time to time by the Village setting forth rates for applying the sewer user charge, which is on file in the office of the Village Clerk.

SURCHARGE. The extra charge for wastes with greater than normal domestic sewage strength, which shall be assessed per pound of excess BOD, suspended solids, and ammonia nitrogen. The surcharge rates shall be as set forth in the "Sewer User Charge Rate Ordinance" on file in the office of the Village Clerk.

SUSPENDED SOLIDS. Filterable solids expressed in milligrams per liter, contained in wastewater and measured by acceptable methods defined in Title 40, Section 136 of the Federal Regulations.

USEFUL or SERVICE LIFE. The period of time that a particular component of the works of the system can reasonably be expected to perform the function intended in its design before replacement or extensive rehabilitation is required.

USER. Any individual, corporation, or other legal entity with a connection or connections for discharging wastewater to the sanitary sewer system and/or sewage treatment works of the Village.

VILLAGE. The Village and the Board of Trustees thereof, and any reference thereto shall mean all territory within the perimeter of the Village's service and jurisdictional boundaries.

WATER NOT RETURNED TO SYSTEM. Water used and measured but not discharged to the sanitary sewer system, such as water used for industrial cooling purposes with discharge to storm drainage systems or water lost through lawn sprinkling or garden use.

WATER METER READINGS. The monthly, quarterly, or annual water meter readings obtained by the Village.

WORKS OF THE SYSTEM. This phrase includes interceptor sewers, pumping stations, sewage collection facilities, and treatment works.

§ 52.33 DECLARATION OF USER CLASSIFICATIONS

For purposes of this subchapter, users of the works of the system, as defined above, are hereby classified as Industrial Users and Nonindustrial Users.

§ 52.34 ANTICIPATED COSTS; OPERATION, MAINTENANCE, AND REPLACEMENT

(A) Prior to the close of each fiscal year, the Village shall prepare an estimate of anticipated costs of operation, maintenance, and replacement for the forthcoming fiscal year, specifically including replacement, renewals, and depreciation of real and personal property. Such estimate of anticipated costs shall be prepared in accordance with and based upon generally accepted accounting principles.

(B) The estimate of anticipated costs shall be submitted to the Board of Trustees and shall be considered and amended if necessary and shall be adopted by the Board of Trustees for the subsequent year by ordinance.

§ 52.35 USE BASES

There shall be submitted to the Board of Trustees, simultaneously with the estimate of anticipated costs, the individual components and summary total of the following parameters determined from data recorded during the previous fiscal year:

(A) The component quantities and totals of yearly water use obtained from public water meter readings and flat rate estimates for each user class.

(B) The component quantities and totals of the yearly water use obtained from private water meter readings for each user class.

(C) The yearly quantity of water not returned to system for each user class.

(D) The number (and percentage of total) connections to the works of the system by each user class.

(E) The yearly infiltration and inflow quantities received by the works of the system and processed through the wastewater treatment facilities.

(F) The “total waste discharged” to the works of the system (and percentage of total) for each user class obtained by adding the quantities determined in (A) and (B) and deducting the amount determined in (C) above.

(G) The distribution of infiltration and inflow quantities to each user class obtained by allocating one-half of the quantity determined in (E) above to each class based upon percentage of total connections determined in (D) above and the remaining one-half based upon the percentage of “total waste discharged” determined in (F) above.

(H) The yearly total quantities of BOD, suspended solids, and ammonia-nitrogen received by the works of the system and processed through the wastewater treatment facilities.

§ 52.36 DECLARATION OF COSTS

Not less than annually, the Board of Trustees shall determine and declare for purposes of adopting or amending the “Sewer User Charge Rate Ordinance,” the following:

(A) The projected yearly cost or operation, maintenance, and replacement of the proportion of the works of the system attributable to waste volume (flow).

(B) The projected yearly cost of operation, maintenance, and replacement of the proportion of the works of the system attributable to BOD, suspended solids, and ammonia-nitrogen strength.

§ 52.37 DECLARATION OF USE

(A) Not less than annually, the Board of Trustees shall determine and declare, for purposes of adopting or amending the “Sewer Use Charge Rate Ordinance,” the “Use Based on Volume” and percentage of total thereof obtained by the addition of the total wastes

discharged by each user class as determined in § 52.35(F) above and the allocable infiltration and inflow for each user class determined in § 52.35(G).

(B) Similarly, the Board of Trustees shall determine and declare the “Use Based on Strength” and percentage of total thereof obtained by multiplying the yearly total quantities of BOD, suspended solids, and ammonia-nitrogen determined in § 52.35(H) by the percentage of “total waste discharged” for each user class determined in § 52.35(F).

§ 52.38 DECLARATION OF COST DISTRIBUTION

(A) Not less than annually, the Board of Trustees shall determine and declare for purposes of adopting or amending the “Sewer Usage Charge Rate Ordinance,” the distribution costs allocable to each use class obtained by multiplying the waste flow-rated costs determined in § 52.36(A) by the percentage of “Use Based on Volume” for each category as determined in § 52.37(A).

(B) Similarly, the Board shall determine and declare the distribution of costs allocable to each user class obtained by multiplying the waste strength-related costs determined in § 52.36(B) above by the percentage of “Use Based on Strength” for each category as determined in § 52.37(B).

(C) The sum of the costs obtained in divisions (A) and (B) of this section shall constitute the “Total Operation, Maintenance, and Replacement Cost” for each user class for the forthcoming fiscal year, and shall be declared as such by the Board of Trustees.

§ 52.39 USER RATES PER UNIT COSTS

Not less than annually, the Board of Trustees shall further determine the user charge cost per unit of measurement applicable to each user within each user class as follows:

(A) The industrial user charge unit cost shall be calculated by dividing the yearly “total operation, maintenance, and replacement costs” for the industrial user class determined in § 52.38(C) by the “total waste discharged” for the industrial user class determined in § 52.35(F) and shall be expressed in dollars per 1,000 gallons of wastes discharged.

(B) The nonindustrial user charge unit costs shall be calculated by dividing the yearly “total operation, maintenance, and replacement costs” for the nonindustrial user class determined in § 52.38(C) by the “total water used” for the nonindustrial user class the sum of § 52.35(A) and (B), less industrial class consumption and shall be expressed in dollars per 1,000 gallons of water use.

(C) Application of the rates determined in divisions (A) and (B) of this section shall be based on the assumption that wastes discharged by an individual user within any user category have, as a minimum, the characteristics of normal domestic sewage as defined in the definitions set forth in § 52.32 thereby precluding “negative” or less than base charges for weak strength wastes; however, where approved industrial pretreatment facilities are provided, the Village may, on a case by case basis, establish equitable charges based upon the actual strength of the pretreated wastes received by the Village. If the new rate or rates determined in divisions (A) or (B) of this

section are different from the then current rate(s), the Board of Trustees shall amend the “Sewer Use Charge Rate Ordinance” by rescinding the applicable current rate(s) and establishing the new rate(s).

§ 52.40 COMPUTATION OF TOTAL WASTEWATER SERVICE CHARGE

(A) The total wastewater service charge shall be computed by adding together the charge based upon flow (see §52.39), the surcharge for excess strength and the debt service charge.

(B) The minimum charge shall be based upon a minimum water usage as determined from time to time by the Board of Trustees.

§ 52.41 REVENUES

All revenues and moneys derived from the operation of the sewerage system shall be deposited in the sewerage account of the sewerage fund. All such revenues and moneys shall be held by the Village Treasurer separate and apart from his private funds and separate and apart from all other funds of the Village and all of said sum, without any deductions whatever, shall be delivered to the Village Treasurer not more than ten days after receipt of the same, or at such more frequent intervals as may from time to time be directed by the President and Board of Trustees. The Village Treasurer shall receive all such revenues from the sewerage system and all other funds and moneys incident to the operation of such system as the same may be delivered and deposited in the same in the account of the fund designated as the “Sewerage Fund of the Village.” The Treasurer shall administer such fund in every respect in the manner provided by statute of the “Revised Cities and Village Act,” effective January, 1942.

§ 52.42 ACCOUNTS

(A) The Village Treasurer shall establish a proper system of accounts and shall keep proper books, records, and accounts in which complete correct entries shall be made of all transactions relative to the sewerage system, and at regular annual intervals he shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the sewerage system.

(B) In addition to the customary operating statements, the annual audit report shall also reflect the revenues and operating expenses of the wastewater facilities, including any replacement cost, to indicate that sewer service charges under the user charge system and capital amounts required to be recovered under the industrial 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 received at the wastewater plant for the current fiscal year;
- (2) Billing data to show total number of gallons billed;
- (3) Debt service for the next succeeding fiscal year;

- (4) Number of users connected to the system;
- (5) Number of nonmetered users; and
- (6) A list of users discharging nondomestic wastes (i.e., industrial users) and volume of waste discharged.

§ 52.43 ACCESS TO RECORDS

The Illinois Environmental Protection Agency or its 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 or industrial cost recovery for the purpose of making audit, examination, excerpts, and transcriptions thereof to insure compliance with the terms of the special and general conditions to any state grant.

§ 52.44 RESPONSIBILITY AND AUTHORITY

The Village has and maintains the responsibility and authority to:

- (A) Exclude certain industrial contaminants or wastes from the works of the system.
- (B) Require industrial waste pretreatment where necessary.
- (C) Contract with industries to control discharges limited by the Village's National Pollutant Discharge Elimination System permit(s).
- (D) Contract with industries to maintain discharge controls.
- (E) Meter flows and measure strengths of industrial waste discharges.
- (F) Verify industrial waste data furnished by industries.
- (G) Contract with other wastewater treatment authorities for waste treatment service.

§ 52.45 INSTALLATION OF SAMPLING MANHOLES, FLOW METERS, AND COMPOSITE 24-HOUR SAMPLERS

After the effective date of this subchapter, each industrial user, where required by the Village and within 180 days of notice by the Village, shall install a sampling manhole complete with flow meter and composite 24-hour sampler on each building service line so designated by the Village.

Penalty, see § 10.99

§ 52.46 INSTALLATION OF WATER METERS ON PRIVATE SUPPLIES

Within 180 days after the effective date of this subchapter, all sewer users not having a water meter in their source of water supply shall be required to install, at their own expense, a

water meter approved by the Village between the well or other source of supply and the plumbing system of such building.

Penalty, see § 10.99

§ 52.47 MANNER OF COLLECTION

(A) All user charges levied under the provisions herein shall become a lien upon the lands within the Village on and after the effective date of this subchapter. Bills for water and sewer service charges shall be rendered to each customer at least bi-monthly. In the event any individual consumer receives a two-month bill with charges in excess of \$600, then that individual user shall be billed monthly. All bills are due and payable on or before the 15th day of the month next following the date of the bill and before 5:00 p.m. on the due date of the bill. If any bi-monthly or monthly bill shall not be paid on or before its due date, then there shall automatically be charged to the consumer a service charge equal to 10 % of the amount billed for water and sewer service and a delinquency notice shall be sent to the customer. If a customer is delinquent more than once during a one-year period or water has been shut-off for non-payment the Village shall require a deposit of \$100 for a bi-monthly consumer and a deposit of \$500 for a monthly consumer. This non-interest bearing deposit shall remain with the Village for a period of two years without delinquency or will be applied to the final water bill prior to the two year holding period.

(B) Bills for single users with multiple water meters or flow meters shall be considered as one bill, and if any portion thereof is unpaid, the entire amount shall be considered as delinquent. In the event that a bi-monthly user fails to pay the billed charge for 60 days or a monthly user fails to pay the billed charge for 30 days after the due date, the Village shall proceed to terminate service and serve termination notice upon such user, as provided in § 52.48.

§ 52.48 TERMINATION PROCEDURES

(A) It is hereby declared to be a policy of the Board of Trustees that in the event that any person or other legal entity whose residence or other building is connected to sewers which are tributary to the works of the system fails to pay the user charges as assessed under this chapter, they shall, upon due process, be disconnected.

(B) The following procedure, in the event of non-payment of user charges, shall constitute the procedure to be utilized by the Village in terminating service of the user:

(1) In the event that the payment of the user charge after having been billed in accordance with this chapter remains unpaid 60 days thereafter for a bi-monthly user and 30 days thereafter for a monthly user, a "Water Shut-Off Notice" shall be thumb-tacked or taped to the front door of the building or housing unit within the building.

(2) If the service address receives a shut off notice, the user shall be fined a service fee of not less than \$25. If the delinquent charges are not paid within seven days after the door tag notice is posted, then the customer shall be granted such hearing or hearings as shall be required by law, if any, and the water service will thereafter be shut off immediately without further notice.

(3) The manner of severance and procedure for disconnection shall be determined by the Village. Upon completion of said disconnection, the Village shall forward

to the occupant and owner of the building by certified mail, return receipt requested, or personal service, a bill for the costs of making the disconnection, including all costs for labor and materials, and a \$100 service charge for Village supervision.

§ 52.49 REINSTATEMENT OF SERVICE

In the event of severance of service, the service may be reinstated in the following manner:

(A) Upon payment to the Village of the full delinquency, plus penalties, plus the cost of the disconnection and the \$100 Village supervision fee, the Village will issue a permit for reconnection of the building service line to the works of the system. Such reconnection costs, plus inspection fees in accordance with any applicable provisions of this code and other ordinances of the Village, shall be at the sole expense of the user and/owner of the property.

(B) Upon reconnection and payment of all costs described above, the Village, through its agents, shall remove the red-tag from the building, and the building shall, so far as the Village is concerned, be “fit for human occupancy.”

§ 52.50 INSPECTIONS AND METER READINGS ON PRIVATE PROPERTY

(A) From and after the passage of this subchapter, authorized Village personnel shall have the right to enter upon private property to take water meter readings and to take flow meter readings and composite samples from meters and samplers installed therein.

(B) Village personnel shall be considered authorized under this subchapter if they have been bonded and insured and have been issued Village badges which contain their photograph and other identification information.

(C) In the event of a refusal to permit Village personnel upon private property, the authorized person shall seek the assistance of the local Police Department or the County Sheriff’s Office, and shall make the inspection accompanied by such officer. Failure to permit such meter readings to be made shall constitute grounds for termination of service.

§ 52.51 SEWER USER CHARGE RATE ORDINANCE AMENDMENTS

(A) The Board of Trustees shall from time to time determine rates for sewer usage.

(B) The Board shall determine and set special rates because of the unusual needs, demands, and the like of persons, firms, or corporations within the Village in lieu of the regular rate.

Editor’s Note: Because of the periodic amendments to the provisions set forth in this section, the rates for Village sewer services have not been included herein at the discretion of the editor. Any applicable ordinances are on file in the office of the Village Clerk and are available there for public inspection.

RATES AND CHARGES

§ 52.70 RATES

(A) The Board of Trustees shall from time to time determine the rates for water services.

(B) The Board of Trustees shall determine and set special rates because of the unusual needs, demands, and the like of persons, firms, or corporations within the Village in lieu of the regular rate.

(C) The Board of Trustees may choose, as economic incentives, to offer users who employ more than 750 employees rate discounts which cannot last more than five years. The amount of the discount will be established by the Board from time to time.

Editor's Note: Because of the periodic amendments to the provisions set forth in this section, the rates for Village water services have not been included herein at the discretion of the editor. Any applicable ordinances are on file in the office of the Village Clerk and are available there for public inspection.

§ 52.71 SEWER AND WATER CONNECTION FEES; DEPOSIT REQUIRED FOR TAP-ON

(A) The Board of Trustees shall designate from time to time, the appropriate fee for tapping into the combined water works and sewerage systems of the Village.

(B) In addition to securing tapping permits, all persons tapping into the sewer tile shall deposit the sum of \$500 with the Building Official as a guarantee that the street shall be restored to a condition satisfactory to the Director of Public Works. Upon being restored to a condition to the satisfaction of the Director of Public Works, any person tapping in shall maintain said repair for the period of one year. At the expiration of the year after the restoration of the street to grade and satisfactory condition, the deposit shall be returned to the person securing the tapping permit with any costs for the restoration or maintenance of the street excavation deducted therefrom.

Editor's Note: Because of the periodic amendments to the provisions set forth in division (A) of this section, the water and sewer connection fees have not been included herein at the discretion of the editor. Any applicable ordinances are on file in the office of the Village Clerk and are available for public inspection.

§ 52.72 CONSTRUCTION CONTRACTORS

During the construction of any building and before any water is installed as herein provided, the contractor so constructing such building may be permitted to use the Village water supply by making application therefore and paying a flat fee as prescribed from time to time by the Board of Trustees of the Village.

§ 52.73 NONPAYMENT

The water supply may be shut off from any premises for which the water bill remains unpaid for a period of 60 days after the bill is rendered and mailed for monthly users and 90 days after the bill is rendered and mailed for bi-monthly users. When shut off, water shall not be turned on except upon the payment of a fee of \$100 for turning on water and upon payment in full of the services.

§ 52.74 LIEN

(A) Charges for water shall be a lien upon the premises as provided by statute. Whenever a bill for water service remains unpaid for a period of 60 days after it has been rendered and mailed, the Village Clerk may file with the County Recorder of Deeds a statement of lien claim. Such statement of lien claim 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 for water served subsequent to the period covered by the bill, if any.

(B) If the consumer of water, whose bill is unpaid, is not the owner of the premises and the Clerk has notice of this fact, then a notice shall be mailed to the owner of the premises if his address is known to the Clerk whenever such bill remains unpaid for a period of 60 days after it has been rendered. The failure of the Clerk to record a claim for lien or to mail such notice shall not affect the right to foreclose the lien for unpaid water bills as mentioned in § 52.75 below.

§ 52.75 FORECLOSURE OF LIEN

Property subject to a lien for unpaid water charges shall be sold for nonpayment of the same and the proceeds of such sale shall be applied to pay the charges after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosure shall be by a bill in equity in the name of the Village. The Village Attorney is authorized and directed to institute such proceedings in the name of the Village in any court having jurisdiction over such matters against any property for which water bills have remained unpaid 180 days after they have been rendered.

CROSS-CONNECTIONS

§ 52.90 PURPOSE

The purpose of these rules and regulations is:

(A) To protect the public water supply system from contamination or pollution by isolating within the customer's water system contaminants or pollutants which could backflow through the service connection into the public water supply system;

(B) To promote the elimination or control of existing cross-examinations, actual or potential, between the public or consumer's potable water system and non-potable water systems, plumbing fixtures and sources or systems containing substances of unknown or questionable safety; and

(C) To provide for the maintenance of a continuing program of cross-connection control which will prevent the contamination of pollution of the public and consumer's potable water systems.

§ 52.91 APPLICATION

These rules and regulations shall apply to all premises served by the public potable water supply system of the Village.

§ 52.91 GENERAL POLICY

(A) The owner, lessee, or occupant 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.

(B) If, in the judgment of the Director of Public Works or his authorized representative, an approved backflow prevention device is necessary for the safety of the public water supply system, the Director of Public Works shall give notice to the consumer to install such approved backflow prevention device at each service connection to the premises.

(C) The consumer shall within 30 days install such approved device or devices at his own expense; failure, refusal, or inability on the part of the consumer to install such device or devices shall constitute grounds for discontinuing water service to the premises until such device or devices have been installed.

(D) The consumer shall retain records of installation, maintenance, testing, and repair as required in § 52.105(D)(4)(d) for a period of at least five years. The Director of Public Works may require the consumer to submit a cross-connection inspection report to the Village to assist in determining whether or not service line protection will be required. All cross-connection inspections shall be conducted by a Cross-Connection Control Device Inspector certified by the Illinois Environmental Protection Agency.

Penalty, see § 52.199

§ 52.93 DEFINITIONS

The following definitions shall apply in the interpretation and enforcement of these regulations:

AGENCY. Illinois Environmental Protection Agency.

APPROVED. 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.

AUXILIARY WATER SYSTEM. Any water source or system on or available to the premises other than the public water supply system includes the water supplied by the system. These auxiliary water may include water from another purveyor's public water

supply system, or water from a source such as wells, lakes, 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. 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. Any device, method, or type of construction intended to prevent backflow into a potable water system. All devices used for backflow prevention in the state must meet the standards of the state Plumbing Code and the Illinois Environmental Protection Agency.

CONSUMER or CUSTOMER. The owner, official custodian, or person in control of any premises supplied by or in any manner connected to a public water system.

CONSUMER'S WATER SYSTEM. Any water system located on the customer's premises. A building plumbing system is considered to be a customer's water system.

CONTAMINATION. An impairment of the quality of the water by entrance of any substance to a degree which could create a health hazard.

CROSS-CONNECTION. 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.

DIRECT CROSS-CONNECTION. A cross-connection formed when a water system is physically joined in a source of unknown or unsafe substance.

DOUBLE CHECK VALVE ASSEMBLY. 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.

FIXED PROPER AIR GAP. The unobstructed vertical distance through the free atmosphere between the water discharge point and the flood level rim of the receptacle.

HEALTH HAZARD. Any condition, device, or practice in a water system or its operation resulting from a real or potential danger to the health and well-being of consumers. The word "severe" as used to qualify "health hazard" means a hazard to the health of the user that could be expected to result in death or significant reduction in the quality of life.

INDIRECT CROSS-CONNECTION. A cross-connection through which an unknown substance can be forced, drawn by vacuum, or otherwise introduced into a safe potable water system.

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

NON-POTABLE WATER. Water not safe for drinking, personal, or culinary use as determined by the requirements of 35 Ill. Adm. Code 604.

PLUMBING.

- (1) The actual installation, repair, maintenance, alteration, or extension of a plumbing system by any person;
- (2) All piping, fixtures, appurtenances, and appliances for a supply of water for all purposes, including without limitation lawn sprinkler systems, from the source of a private water supply on the premises or from the main in the street, alley, or at the curb to, within and about any building or buildings where a person or persons live, work, or assemble;
- (3) All piping, from discharge of pumping units to and including pressure tanks in water supply systems; and
- (4) All piping, fixtures, appurtenances, and appliances for a building drain and a sanitary drainage related ventilation system of any building or buildings where a person or persons live, work, or assemble from the point of connection of such building drain to the building sewer or private sewage disposal system five feet beyond the foundation walls.

POLLUTION. 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. Water which meets the requirements of 35 Ill. Adm. Code 604 for drinking, culinary, and domestic purposes.

POTENTIAL CROSS-CONNECTION. 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 FLUIDS. Any fluid or solution which may be chemically, biologically, or otherwise contaminated or polluted in a form or concentration such as would constitute a health, pollutional, or system hazard if introduced into the public or a consumer's potable water system. This includes but is 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 of suspension; and

(7) Oils, gases, acids, alkalis, and other liquid and gaseous fluids used in industrial or other processes, or for fire fighting purposes.

PUBLIC WATER SUPPLY. 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 15 service connections or which regularly serve as least 25 persons at least 60 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. 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. During normal flow and at the cessation of normal flow, the pressure between these two checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check valves at less than the supply pressure. The unit must include tightly closing shutoff valves located at each end of the device, and each device shall be fitted with properly located test cocks.

SERVICE CONNECTION. The opening, including all fittings and appurtenances, at the water main through which water is supplied to the user.

SURVEY. The collection of information pertaining to a customer’s piping system regarding the location of all connections to the public water supply system and must include the location, type, and most recent inspection and testing date of all cross-connection control devices and methods located within that customer’s piping system. The survey must be in written form, and should not be an actual plumbing inspection.

SYSTEM HAZARD. 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. 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.

WATER PURVEYOR. The owner or official custodian of a public water system.

§ 52.94 WATER SYSTEM

(A) The water system shall be considered as made up of two parts:

(1) The public water supply system; and

(2) The private consumer’s water system.

(B) *Public water supply system.* The public water supply system shall consist of the source facilities and the distribution system, and shall include all those facilities of the potable water system under the control of the Director of Public Works up to the point where the consumer's water system begins.

(1) 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.

(2) 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.

(C) *Consumer's water system.* The consumer's water system shall include all parts of the facilities beyond the service connection used to convey water from the public water supply distribution system to points of use.

§ 52.95 COMPLIANCE WITH STATE PLUMBING CODE

(A) All plumbing installed within the Village shall be installed in accordance with the state Plumbing Code, 77 Ill. Adm. Code 890. If, in accordance with the Illinois Plumbing Code or in the judgment of the Director of Public Works, an approved backflow prevention device is necessary for the safety of the public water supply system, the Director of Public Works will give notice to the water customer, occupant, and owner of the unit or building to install such an approved device immediately.

(B) The water customer, occupant, or owner shall, at his own expense, install such an approved device at a location and in a manner in accordance with the state Plumbing Code, Illinois Environmental Protection Agency and all applicable local regulations, and shall have inspections and tests made of such approved devices upon installation and as required by the state Plumbing Code, Illinois Environmental Protection Agency and local regulations.

Penalty, see § 52.199

§ 52.96 UNLAWFUL CONNECTIONS

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 said municipality, unless such private, auxiliary, or emergency water supply and the method of connection and use of such supply shall have been approved by the Director of Public Works and the Illinois Environmental Protection Agency.

Penalty, see § 52.199

§ 52.97 CROSS-CONNECTION PROHIBITED

(A) 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.

(B) (1.) 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.

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

Penalty, see § 52.199

§ 52.98 RESPONSIBILITY FOR CONTAMINATION

The consumer and/or owner is responsible for backsiphoned or back pressured 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, they must bear the cost of clean-up of the potable water supply system.

Penalty, see § 52.199

§ 52.99 WHERE PROTECTION IS REQUIRED

(A) An approved backflow device shall be installed on all new connections to the public water supply and/or any repairs to connection to the public water supply as described in the Plumbing Code, 77 Ill. Adm. Code 890 and the Agency's regulations 35 Ill. Adm. Code 680. In addition, an approved backflow prevention device shall be installed on each new service line to a consumer's water system serving premises, and where, in the judgment of the Director of Public Works, actual or potential hazards to the public water supply system exist.

(B) 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 having an auxiliary water supply, unless such auxiliary is accepted as an additional source by the Director of Public Works and the source is approved by the state Environmental Protection Agency.

(2) Premises on which any substance is handled which can create an actual or potential hazard to the public water system. This shall include premises having sources or systems containing process fluids or waters originating from the public water supply system which are no longer under the sanitary control of the Director of Public Works.

(3) Premises having internal cross-connection that, in the judgment of the Director of Public Works and/or the Cross-Connection Control Device Inspector, are not correctable or intricate plumbing arrangements which make it impractical to determine whether or not cross-connections exist.

(4) Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross-connection survey.

(5) Premises having a repeated history of cross-examinations being established or re-established.

(C) An approved backflow device shall be installed on all connections to the public water supply as described in the Plumbing Code, 77 Ill. Adm. Code 890 and the Agency's regulations 35 Ill. Adm. Code 653. In addition, an approved backflow prevention device shall be installed on each service line to a customer's water system serving, but not necessarily limited to, the following types of facilities unless the Director 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 plant.
- (6) Chemical plants.
- (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.

§ 52.100 TYPE OF PROTECTION REQUIRED

(A) The type of protection required under § 52.99(B)(1), (B)(2), and (B)(3) 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 severe 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 of 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.

(4) All buildings, other than a one or two family dwelling unit must have a double check or reduced pressure zone backflow prevention device.

(B) The type of protection required under § 52.99(B)(4) and (B)(5) shall be an approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention device.

(C) Where a public water supply or an auxiliary water supply is used for a fire protection system, reduced pressure principle backflow preventers shall be installed on fire safety systems connected to the public water supply when:

(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; or

(4) There is a connection whereby another source can be introduced into the fire safety system.

(D) 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 unmetered service lines.

Penalty, see § 52.199

§ 52.101 BACKFLOW PREVENTION DEVICES

(A) All backflow prevention devices or methods required by these rules and regulations 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, or American National Standards Institute or certified by the National Sanitation Foundation to be in compliance with applicable industry specification.

(B) 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.

§ 52.102 CROSS-CONNECTION CONTROL PROGRAM

The Village hereby adopts in full the Cross-Connection Control Program, which is incorporated herein in full and is on file with the Village Clerk.

§ 52.103 INSPECTION AND MAINTENANCE DEVICES

(A) It shall be the duty of the consumer at any premises on which backflow prevention devices required by these regulations are installed to have inspection, tests, maintenance, and repair made in accordance with the following schedule or more where inspections indicate a need or are specified in manufacturer's instructions.

(1) Fixed proper air gap separations shall be inspected to document that a proper vertical distance is maintained between the discharge point of the service line and the flood level rim of the receptacle at the time of installation and at least annually thereafter. Corrections to improper or bypassed air gaps shall be made within 24 hours.

(2) Double check valve assemblies shall be inspected and tested at time of installation and at least annually thereafter, and required service performed within five (5) days.

(3) Reduced pressure principle backflow prevention assemblies shall be tested at the time of installation and at least annually or more frequently if recommended by the manufacturer, and required service performed within five days.

(B) 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.

(C) Each device shall have a tag attached listing the date of most recent test or visual inspection, name of tester, and type and date of repairs.

(D) A maintenance log shall be maintained and include:

(1) Date of each test or visual inspection;

(2) Name and approval number of person performing the test or visual inspection;

(1) Test results;

(2) Repairs or servicing required;

(3) Repairs and date completed; and

(4) Servicing performed and date completed.

(E) Whenever backflow prevention devices required by these regulations are found to be defective, they shall be repaired or replaced at the expense of the consumer without delay as required by division (A) of this section.

(F) Backflow prevention devices shall not be bypassed, made inoperative, removed, or otherwise made ineffective without specific authorization by the Director of Public Works.

§ 52.104 BOOSTER PUMPS

(A) Where a booster pump has been installed on the service line to or within any premises, such pump shall be equipped with a low pressure cut-off device designed to shut-off the booster pump when the pressure in the service line on the suction side of the pump drops to 20 psi or less.

(B) It shall be the duty of the water consumer to maintain the low pressure cut-off device in proper, working order and to certify to the Director of Public Works, at least once a year, that the device is operable.

§ 52.105 INVESTIGATIONS OF POTENTIAL HAZARDS

It shall be the duty of the Director 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. These surveys and investigations shall be made a matter of public record and shall be repeated at least every two years, or as often as the Director of Public Works shall deem necessary. Records of these surveys shall be maintained and available for review for a period of at least five years.

§ 52.106 SURVEY AND INVESTIGATIONS

(A) The consumer's premises shall be open at all reasonable times to the approved Cross-Connection Control Device Inspector for the inspection of the presence or absence of cross-connections within the consumer's or owner's premises and testing, repair, and maintenance of cross-connection control devices within the consumer's premises.

(B) On request by the Director of Public Works, or his authorized representative, the consumer and/or owner shall furnish information regarding the piping system or systems or water use within the customer's premises. The consumer's premises shall be open at all reasonable times to the Director of Public Works for the verification of information submitted by the inspection consumer to the public water supply custodian regarding cross-connection inspection results.

(C) It shall be the responsibility of the water consumer and/or owner to arrange periodic surveys of water use practices on his premises to determine whether there are actual or potential cross-connections to his water system through which contaminants or pollutants could backflow into his or the public potable water system. All cross-connection control or other plumbing inspections must be conducted in accordance with ILCS Ch. 225, Act 320, § 3.

(D) It is the responsibility of the water consumer and/or owner to prevent backflow into the public water system by ensuring that:

- (1) All cross-connections are removed; or approved cross-connection control devices are installed for control of backflow and back-siphonage;
- (2) Cross-connection control devices shall be installed in accordance with the manufacturer's instructions;
- (3) Cross-connection control devices shall be inspected at the time of installation and at least annually by a person approved by the Agency as a Cross-Connection

Control Device Inspector. The inspection of mechanical devices shall include physical testing in accordance with the manufacturer's instructions;

(4) Testing and Records.

(a) Each device shall be tested at the time of installation and at least annually or more frequently if recommended by the manufacturer.

(b) Records submitted to the community public water supply shall be available for inspection by Agency personnel in accordance with LCS Ch. 415, Act 5, § 5.

(c) Each device shall have a tag attached listing the date of most recent test, name of CCCDI, and type and date of repairs.

(d) A maintenance log shall be maintained and include:

1. Date of each test;
2. Name and approval number of person performing the test;
3. Test results;
4. Repairs or servicing required;
5. Repairs and date completed; and
6. Servicing performed and date completed.

§ 52.107 RIGHT OF ENTRY

(A) The approved Cross-Connection Control Device Inspector (hereinafter referred to as CCCDI) 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-connection, and that the Director of Public Works 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 Village for the purpose of verifying information submitted by the customer regarding the required cross-connection control inspection.

(B) On demand, the owner, lessees or occupants of any property so served shall furnish to the Director of Public Works 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 Director of Public Works, be deemed evidence of the presence of improper connections as provided in this subchapter.

Penalty, see § 52.199

§ 52.108 DISCONTINUANCE OF WATER SERVICE

(A) The Director of Public Works of the Village is hereby authorized and directed to discontinue, after three days notice to the occupant and owner 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 may deem necessary to eliminate any danger of contamination of the public water supply distribution mains.

(B) Water service to such property shall not be restored until such conditions have been eliminated or corrected compliance with the provisions of this subchapter, and until a reconnection fee of \$100 is paid to the Village.

(C) Immediate disconnection with verbal notice can be effected when the Director of Public Works determines that imminent danger of harmful contamination of the public water supply system exists. Such action shall be followed by written notification of the cause of disconnection. Immediate disconnection without notice to any party can be effected to prevent actual or anticipated contamination or pollution of the public water supply, provided that, in the reasonable opinion of the Director of Public Works or the Illinois Environmental Protection Agency, such action is required to prevent actual or potential contamination or pollution of the public water supply.

(D) Neither the Village, the Director of Public Works, or its agents or assigns shall be liable to any customer for any injury, damages, or lost revenues which may result from termination of the customer's water supply in accordance with the terms of this subchapter, whether or not the termination was with or without notice.

§ 52.198 VIOLATIONS

(A) The Director of Public Works shall deny or discontinue, after three days notice to the occupants and owner thereof, the water service to any premises wherein any backflow prevention device required by these regulations is not installed, tested, maintained, and repaired in a manner acceptable to the Director of Public Works, or if it is found that the backflow prevention device has been revoked or bypassed, or if a low pressure cut-off connection exists on the premises, or if a low pressure cut-off required by these regulations is not installed and maintained in working order.

(B) Water service to such premises shall not be restored until the occupant, lessee, or owner has corrected or eliminated such conditions or defects in conformance with these Regulations to the satisfaction of the Director of Public Works, and the required reconnection fee is paid.

(C) Neither the Village or the Director of Public Works or its agents or assigns shall be liable to any customers of the Village for any injury, damages, or lost revenues which may result from termination of said customer's water supply in accordance with the terms of this subchapter, whether or not the termination of the water supply was with or without notice.

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

§ 52.199 PENALTY

(A) Any person found to be violating any provision of §§ 52.90 through 52.108 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.

(B) Any person violating any of the provisions of §§ 52.90 through 52.108, in addition to the fine provided, shall become liable to the Village for any expense, loss, or damage occasioned by the Village by reason of such violations, whether the same was caused before or after notice.

(C) Any person, firm, or corporation violating the provisions of §§ 52.90 through 52.108 shall be fined not less than \$50 not more than \$500 for each offense. Each day the conditions exist is deemed to be a separate offense.