ORDINANCE NO. 584

AN ORDINANCE TO ESTABLISH RULES, REGULATIONS, AND RATES FOR THE OPERATION OF A PUBLIC WATER SUPPLY SYSTEM BY THE CITY OF SUMNER, ILLINOIS

WHEREAS, the City of Sumner, Illinois (City) is a duly organized and existing municipality created under the provisions of the State of Illinois; and

WHEREAS, the City owns and operates a public water supply system; and

WHEREAS, the City has the power, pursuant to 65 ILCS 5/11-125-3 to establish all necessary rules, regulations, and rates for the construction, use and maintenance of a public water supply system; and

WHEREAS, the Mayor and City Council have determined that there should be an amendment to those rules, regulations, and ordinances now in effect.

NOW, THEREFORE, be it ordained by the City Council of the City of Sumner, Illinois:

ARTICLE I
DEFINITIONS

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

(A) **Federal Government.**

(1) ***"Federal Act"*** means the [illegible] Amendments.

(2) ***"Administrator"*** means the [illegible] Protection Agency.

2- 471

(B) **State Government.**

(1) ***"State Act"*** means the Illinois [illegible]

(2) ***"Director"*** means the Directo[illegible] Agency.

(3) ***"State Loan"*** shall mean the S[illegible] of the construction of water w[illegible] Pollution Bond At and for maki[illegible] State of the State of Illinois.

2- 585

(C) **Local Government.**

(1) ***"Approving Authority"*** means [illegible] where such authority is specifi[illegible] Water and Sewer Department.

ORDINANCE NO. 584

AN ORDINANCE TO ESTABLISH RULES, REGULATIONS, AND RATES FOR THE OPERATION OF A PUBLIC WATER SUPPLY SYSTEM BY THE CITY OF SUMNER, ILLINOIS

WHEREAS, the City of Sumner, Illinois (City) is a duly organized and existing municipality created under the provisions of the State of Illinois; and

WHEREAS, the City owns and operates a public water supply system; and

WHEREAS, the City has the power, pursuant to 65 ILCS 5/11-125-3 to establish all necessary rules, regulations, and rates for the construction, use and maintenance of a public water supply system; and

WHEREAS, the Mayor and City Council have determined that there should be an amendment to those rules, regulations, and ordinances now in effect.

NOW, THEREFORE, be it ordained by the City Council of the City of Sumner, Illinois:

ARTICLE I
DEFINITIONS

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

(A) **Federal Government.**
- (1) ***"Federal Act"*** means the federal 1996 Safe Drinking Water Acts Amendments.
- (2) ***"Administrator"*** means the Administrator of the U.S. Environmental Protection Agency.

(B) **State Government.**
- (1) ***"State Act"*** means the Illinois Anti-Pollution Bond Act of 1970.
- (2) ***"Director"*** means the Director of the Illinois Environmental Protection Agency.
- (3) ***"State Loan"*** shall mean the State of Illinois participation in the financing of the construction of water works as provided for by the Illinois Anti-Pollution Bond At and for making such loans as filed with the Secretary of State of the State of Illinois.

(C) **Local Government.**
- (1) ***"Approving Authority"*** means the City Council of the City of Sumner or where such authority is specifically delegated, the Superintendent of the Water and Sewer Department.

(D) *"Person"* shall mean any and all persons, natural or artificial, including any individual, firm or company, municipal, or private corporation, association, society, institution, enterprise, governmental agency or other entity.

(E) **Clarification of Word Usage.** *"Shall"* is mandatory; *"may"* is permissible.

(F) **Water and Its Characteristics.**

(1) *"ppm"* shall mean parts per million by weight.

(2) *"milligrams per liter"* shall mean a unit of the concentration of water constituent. It is 0.001 g of the constituent in 1,000 ml of water. It has replaced the unit formerly used commonly, parts per million, to which it is approximately equivalent, in reporting the results of water analysis.

(3) *"PH"* shall mean the logarithm (base 10) of the reciprocal of the hydrogen-ion concentration expressed by one of the procedures outlined in the IEPA Division of Laboratories Manual of Laboratory Methods.

(G)

(1) *"Curb Cock"* shall mean a shutoff valve attached to a water service pipe from a water main to a building installed near the curb, which may be operated by a valve key to start or stop flow in the water-supply lines of a building. Also called a curb stop.

(2) *"Easement"* shall mean an acquired legal right for the specific use of land owned by others.

(3) *"Service Box"* shall mean a valve box used with corporation or curb cock.

(H) **Types of Charges.**

(1) *"Water Service Charge"* shall be the charge per quarter or month levied on all users of the Water Facilities. The service charge shall be computed as outlined in this Article, and shall consist of the total of the Basic User Charge and the Local Capital Cost if applicable.

(2) *"User Charge"* shall mean a charge levied on users of water works for the cost of operation, maintenance and replacement.

(3) *"Basic User Charge"* shall mean the basic assessment levied on all users of the public water system.

(4) *"Debt Service Charge"* shall be the amount to be paid each billing period for payment of interest, principal and coverage of (loan, bond, etc.) outstanding.

(5) *"Capital Improvement Charge"* shall mean a charge levied on users to improve, extend or reconstruct the water works.

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

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

(8) *"Useful Life"* shall mean the estimated period during which the water works will be operated.

(9) *"Water and Sewer Fund"* is the principal accounting designation for all revenues received in the operation of the water system.

ARTICLE II
GENERAL REGULATIONS

Section 1. APPLICATION FOR TAPS AND SERVICE CONNECTIONS TO THE WATERWORKS SYSTEM. An applicant desiring a water tap or service connection with the Waterworks System of the City shall file a written application at the City Hall, signed by the owner of the property for which the tap or service connection is desired, or by the duly authorized agent of such owner. The application shall be accompanied by payment of the fee hereinafter prescribed to cover the cost of such service connection. In the event the application is made by an agent for the owner, then the application shall also be accompanied by the written authority of the owners to the agent for making of the application. **(See Appendix #1)**

Section 2. ALL SERVICE TO BE BY METER. All water service, whether for domestic, commercial or industrial use shall be metered. All meters shall be so placed and installed as to render the same accessible at all times for the purpose of reading or repairing and so as to be free from danger of freezing. Meters outside of a building shall be set in a suitable meter box approved by the Superintendent. Water shall not be turned on for new connections until the meter has been installed and all other requirements of this Ordinance on the part of the property owner have been fully complied with.

Section 3. *REMOVAL OF METER. All meters connected to the City's public water supply system shall remain the property of the City and may be removed from the customer's premises at any time without notice for the purpose of testing and repairing the same or upon discontinuance of service. No person other than an employee or authorized agent of the City may install or remove a meter from the public water supply system. Upon discovery of any unlawful act by any customer, his agent, or employee herein prohibited or upon failure to comply with any other rules and regulations of the City, such service shall be disconnected.*

Section 4. INSTALLING AND MAINTAINING SERVICE LINES. The user shall be responsible for installation and maintenance of service lines between the meter and the residence or business. Such service lines must be at least **three-fourths (3/4) inch** in diameter, and must be installed at a minimum depth of **three (3) feet** Service lines must have a minimum working pressure rating of **160 psi at 73.4 degrees F** and must be constructed of one of the following types of materials: Copper, (Type K), polyvinyl chloride (PVC), polyethylene or polybutylene.—Service lines shall not be covered until they are inspected and approved by the Superintendent.

The user shall not connect any service line or any plumbing connected with the service line to any other water source. The service line shall meet all requirements of the Illinois Environmental Protection Agency's rules and regulations, the Illinois Plumbing Code, and the regulations in this Chapter.

Section 5. INSPECTION.

(A) Access to Premises. The City shall have access to all portions of the premises of the consumer at any reasonable time for inspection of the use of water and the consumer's pipe,

fixtures, plumbing, and any other apparatus in any manner connected to the Waterworks System of the City. The City shall have the right and option to demand change or stopping of use or to require any repair, change, removal or improvement of any pipe, fixture, plumbing or other apparatus that would in any manner affect the water supply or system of the City or the supply or fixtures of other consumers.

(B) **Meters to be Open to Inspection.** All water meters and water fixtures, connections and appurtenances on private property connected with the Waterworks System of the City shall be open to the inspection of the proper officers and employees of the City at all reasonable hours.

Section 6. **METER DAMAGED.** Whenever a meter is found to have been damaged by hot water being forced back into it from the consumer's hot water or heating apparatus or for any other cause within control of the consumer, the consumer shall pay the City for the actual cost of the removal, repair, and replacement of the damaged meter and all previous water bills shall be corrected on an estimated basis to cover such period as it appears that the meter was out of order for such damage.

Section 7. **DESTROYING PROPERTY.** Any person found guilty of defacing, tempering, injuring or destroying, or in any manner, limiting the use or availability of any meter or any property of the waterworks system and sewer system, or erecting signs on the property of the City without permission shall, upon conviction of such act, be fined **Five Hundred Dollars ($500.00).**

Section 8. **SERVICE OBTAINED BY FRAUD.** All contracts for water services shall be made in the name of the head of the household, firm or corporation using the established spelling of that person's or firm's name. Attempts to obtain service by the use of other names, different spellings or by substituting other persons or firms shall be considered subterfuge and service shall be denied. If service has been discontinued because of non-payment of bills, or any unpaid obligation and service has again been obtained through subterfuge, misrepresentation or fraud, that service shall be promptly disconnected and the whole or such part of the advanced payment as may be necessary to satisfy unpaid obligation shall be retained by the City and credited to the appropriate account.

Section 9. **ESTIMATED CHARGE.** Whenever any meter, by reason of its being out of repair or from any cause fails to properly register the utilities passing through same, the customer shall be charged the average charge of the previous three months' usage. If no record of the previous three months exist, it shall be the duty of the Superintendent to estimate the amount of utilities consumed during the time the meter fails to operate and the customer shall be charged with such estimated amount. Bills may be estimated whenever it is impossible to read the meters during inclement weather.

Section 10. **DEPOSIT FEE.** In addition to any connection fees, a deposit fee of **Two Hundred Dollars ($200.00)** for each account shall be charged to all applicants who are renting or purchasing property on contract from an owner other than a conventional lending institution, unless the owner signs a personal guaranty for all charges for water services to the property, *in which case the deposit fee shall be **One Hundred Dollars ($100.00)**.* The deposit fee shall be retained by the City to insure payment of all bills. When service to the applicant is discontinued

permanently this deposit, less any amount still due the City for services, shall be refunded without interest.

Section 11. **DAMAGE DUE TO INTERRUPTION OF SERVICE; LIABILITY.** All connections for the water services applied for hereunder and all connections now attached to the present City Waterworks System and all use or service of the system shall be upon the express condition that the City shall not be liable for nor shall any claim be made against it for damages or injury caused by reason of the braking of any main, service, pipe, apparatus or appurtenance connected with the Waterworks System or for any interruption of the supply of water by reason of the breaking of machinery or by reason of stoppages, alterations, extensions or renewals.

Section 12. **RESALE OF WATER.** No water supplied by the waterworks system shall be resold by any user. No water used may supply water to other families or allow them to take it, except for use on the premises and for the purpose specified in such user's approve application, nor after water is introduced into any building or upon any premises shall any person make or employ any other person to make any tap or connection with the work upon the premises for alterations, repairs, extension or attachments without written permit therefore. Resale or unauthorized use of water shall be grounds for discontinuance of water service to the user, or the premises, or both.

Section 13. **DISCONTINUING SERVICE – DANGEROUS USAGE.** The City shall have the right to refuse water service or to discontinue water service, without notice, at any time to any consumer if the City finds any apparatus or appliances, the operation of which will be detrimental to the water system of the City or to any or all of its consumers. Standpipes, hydrants, gate valves and any other apparatus that cause water hammer or any danger to the water system or other consumer's plumbing shall be immediately repaired or removed upon notice from the City, or, at its option, the City may immediately discontinue service without notice and without any liability for direct or resulting damages therefrom.

Section 14. **ELECTRIC GROUND WIRES.** All persons are strictly forbidden to attach any electric ground wire to any plumbing or water piping which is or may be connected to any water service pipe, water meter, or water main belonging to the City.

The City shall hold the owner of the premises responsible and liable for any damage to the property or injury to the employees of the City caused by such ground wire. Any and all owners and consumers shall remove any existing ground wires immediately upon written notice from the City. If not so disconnected **five (5) days** after notice, the City, through its officials, may enter the property and remove such ground wires and the consumer shall pay all costs.

Section 15. **WATER FOR BUILDING OR CONSTRUCTION PURPOSES.** Applicants desiring to use water from the City Waterworks System for building or construction purposes shall make application therefor to the Superintendent on a form provided by the Water and Sewer Department for that purpose.

Upon a permit being granted, the service pipe shall be carried at the expense of the applicant to the inside of the curb line where a service cock and meter shall be placed with pipe leading to the surface and a faucet placed at the end thereof above the surface. When the building or construction is completed, the faucet and meter shall be removed and the water shut

off unless permanent connection is made in accordance with the provisions of this Chapter. Charge for the use and connection of the meter shall be prescribed by the Superintendent.

Section 16. **FIRE HYDRANTS.**

(A) All public fire hydrants with gate valves, tees, and connections from the main, inside the City Limits, shall be owned, maintained and used only by the City and shall be solely responsible for same. Use of water from fire hydrants by contractors and others shall be only upon permission by the City and after approved application to the City.

(B) The City shall not be held liable and will not assume any responsibility for the condition of any fire hydrant inside or outside of the City Limits or the pressure or amount of water obtainable therefrom or any damage either direct or resultant because of the condition, pressure or amount of water available at any fire hydrant.

(C) All public fire hydrants located outside the City Limits owned by the City shall be maintained in as good order as reasonably possible, but the City will not undertake or assume any responsibility or liability for their condition or use or abuse. Such public fire hydrants shall be used only for the purpose of extinguishing fires except when the City may issue a special permit for their use to contractors who shall then be responsible for the hydrants and the use of water from they.

Section 17. **LIMITED WATER USAGE IN EMERGENCIES.**

(A) The Mayor is hereby authorized to proclaim the existence of an emergency whenever it appears that the City water supply is inadequate for all general uses and purposes, which proclamation shall be published in a newspaper of general circulation in the community and the Mayor is further authorized to declare in similar manner the end of an emergency period.

(B) From and after the publication of a proclamation as provided for in Subsection (A) of this Section, the following uses of water shall be prohibited:

(1) the washing of cars and other vehicles;
(2) the sprinkling of lawns and shrubbery;
(3) the watering of gardens;
(4) other nonessential uses;

and it shall be unlawful for any person to so use water from the City supply during such an emergency.

Section 18. **SHORTAGE AND PURITY OF SUPPLY.** The City shall not be held responsible for or in any manner liable to any person, company, consumer or public body for any claim or damage, either direct or resultant because of any shortage of water supply, any shutoff of water for any reason, any bursting or leakage of either the consumer's or City's mains, pipes and fixtures, any pollution or impurity in water supply or any fire or water damage.

Section 19. **NON-COMPLIANCE WITH RULES AND REGULATIONS.** If any consumer fails to comply with any of the rules and regulations in force, the City shall notify the consumer of such failure. If the consumer does not remedy the same as the rules provide and within a reasonable time, the City shall have the right to discontinue service. Except in case of non-payment, emergency, necessity, or as otherwise provided, the City will not discontinue service for violation of any rule until **five (5) days** after notice has been given and the violation has not been remedied.

Section 20. EASEMENTS. The consumer shall give such easements and rights-of-way as necessary to the City and allow access for the purpose of construction, repair, maintenance, meter reading, relocation or expansion of the water system. The necessity shall be determined by the Superintendent.

Section 21. USE OF WATER ON CONSUMER'S PREMISES. The City shall reserve the right to use the water from the consumer's facilities at any time deemed necessary. No charge shall be made by the consumer for the use of the facilities and no charge shall be made by the City for the water used by the City.

Section 22. ALLOCATION OF MAINTENANCE COSTS BETWEEN USER AND CITY. The City shall maintain and repair all water service pipes between the water mains and the curb lines. Any repairs to service lines or taps between the water mains and the sidewalk or property line shall be the City's expense. Any repairs or renewals of water service pipes between the property line or curb line and extending to the owner's premises shall be made at the sole expense of the consumer or owner of the premises.

Section 23. CITY NOT LIABLE FOR INTERRUPTION OF SUPPLY. The City shall have the right to shut off the supply of water whenever it is necessary to make repairs, improvements, enforce rules or for any notice as circumstances allow, will be given to consumers but in emergencies, the water may be shut off without notice. All hot water faucets shall be left open during any shut-off to prevent damage to plumbing. Such necessary work will be done as rapidly as may be practical and whenever feasible at such times as will cause the least inconvenience. The City shall not be held responsible for or liable because of any shut-off of supply for any direct or resultant damages to any person, company or consumer or to any pipe, fixtures, or plumbing.

Water for steam boilers, gas engines, ice plants, or other industrial use, shall not be furnished by direct pressure from the mains, but only to tanks holding ample reserve supply. Should any equipment be supplied direct from mains, then in case of any shutoff of water, the City will not be held responsible or liable for any direct or resulting damage because of interrupted supply, insufficient pressure, or otherwise.

Whenever water mains, pipes and service connections are taken up, shut-off or interfered with by reason of any City street improvements, the City will endeavor to maintain service so far as reasonably possible, but will not be directly or indirectly liable for any interruption, poor pressure, or damage of any kind either to consumers, adjacent or to other consumers affected thereby.

The City expressly stipulates with all its consumers and other persons that it will not insure or be responsible or liable in any manner for any losses, or damages, direct or resultant by reason of any fire, causes beyond its control, and ordinary negligence of its employees, servants or agents; and all water service furnished shall always be conditional upon acts of God, inevitable accidents, fires, strikes, riots, war, or any other cause not within the reasonable control of the City.

Section 24. *PRIVATE WATER WELLS PROHIBITED. It shall be unlawful to drill a private water-well in the City.*

Section 25. ABANDONED CONNECTION. Whenever any connection to the waterworks system is abandoned, because the building to which the water connection is made has been abandoned, destroyed or removed, the Superintendent may remove the meter and any pipe or connections in the public right-of-way or easement, and cap, plug or otherwise seal the pipe or main. Before taking any such steps the Superintendent shall notify the owner of the real estate if the owner's name and address is known, and shall notify the person shown on the real estate tax records as having paid taxes on the property the last time taxes were paid. Such notice shall be made by mail, at least **thirty (30) days** before any action is taken under this Section. If water is leaking, the Superintendent shall take immediate action, and send the notices within **three (3) working days** of the time action was taken.

Section 26. ALTERNATIVE WATER SOURCE. Any customer with critical water requirements shall have an alternate water source. Failure to provide such shall be considered a violation of consumer rules and loss or damages resulting therefrom shall be the responsibility of the customer. Those customers shall include but not be limited to manufacturers, hospitals, nursing homes, schools, greenhouses, hatcheries or any other building or business which might suffer any type of loss due to interruption of water service.

The City expressly stipulates with all customers and other persons who may be affected by the discontinuance of service that it will neither insure nor be responsible or liable in any manner for any loss or damages, direct or indirect, by reason of fire or any other cause and all water service furnished shall also be conditional upon acts of God, inevitable accidents, failure of supply, fire, strikes, riots or any other causes.

Section 27. RULES TO BECOME PART OF CONTRACT. All of the rules and regulations concerning the use of the facilities of the water system and the consumption of water shall be adopted and the same shall become part of the contract with every water consumer and every water consumer shall be considered to take water from the City, subject thereto and bound thereby.

ARTICLE III
CROSS-CONNECTION ADMINISTRATION

Section 1. APPROVED BACKFLOW DEVICE. If, in accordance with the Illinois Plumbing Code or in the judgment of the Superintendent, an approved backflow prevention device is necessary for the safety of the public water supply system, the Superintendent shall 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, 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 Illinois Plumbing Code, Illinois Environmental Protection Agency and local regulations.

Section 2. CROSS-CONNECTION PROHIBITED; EXCEPTION. No person 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 enters the supply or distribution system of the City, 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 and the Illinois Environmental Protection Agency.

Section 3. **INVESTIGATIONS BY SUPERINTENDENT.** It shall be the duty of the Superintendent to cause surveys and investigations to be made of commercial, industrial and other properties served by the public water supply to determine whether actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be maintained and available for review.

Section 4. **RIGHT TO ENTER PREMISES.** The Superintendent shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system for the purpose of verifying the presence or absence of cross-connections and that the Supervisor 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 for the purpose of verifying information submitted by the customer regarding the required cross-connection control inspection. On demand, the owner, lessee or occupants of any property so served shall furnish to the Superintendent 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, be evidence of the presence of improper connections as provided in this Ordinance.

Section 5. **NOTICE TO CUSTOMER; RECONNECT FEE.**

(A) The Superintendent 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 Ordinance 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 Ordinance and until a reconnection fee of ***Twenty-Five Dollars ($25.00)*** is paid to the City Clerk.

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

(C) The public water supply, the Superintendent or the agents or assigns shall not 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 Chapter, whether or not said termination was with or without notice.

(D) *Reconnection services shall be provided only during the City's regular business hours.*

Section 6. **CONTAMINATIONS COST AND THE 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, shall bear the cost of clean-up of the potable water supply system.

ARTICLE IV
CROSS-CONNECTION CONTROL

Section 1. PURPOSE. The purpose of this Article is:

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

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

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

Section 2. APPLICATION. This Article shall apply to all premises served by the public potable water supply system of the City.

Section 3. RESPONSIBILITY OF OWNER. The owner or official custodian shall be responsible for protection of the public water supply system from contamination due to backflow or back-siphonage of contaminants through all customers water service connection. If, in the judgment of the Superintendent or his authorized representative, an approved backflow prevention device is necessary for the safety of the public water supply system, the Superintendent shall give notice to the consumer to install such approved backflow prevention device at each service connection to the premises. The consumer shall immediately 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 immediately shall constitute grounds for discontinuing water service to the premises until such device or devices have been installed. The Superintendent may require the consumer to submit a cross-connection inspection report to the City 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.

Section 4. DEFINITIONS. The following definitions shall apply in the interpretation and enforcement of these regulations:

"Fixed Proper Air Gap" means the unobstructed vertical distance through the free atmosphere between the water discharge point and the flood level rim of the receptacle.

"Agency" means the Illinois Environmental Protection Agency.

"Approved" means backflow prevention devices or methods approved by the Research Foundation for Cross-Connection Control of the University of Southern California, Association

of State Sanitary Engineers, American Water Works Association, American National Standards Institute or certified by the National Sanitation Foundation.

"Auxiliary Water System" means any water source or system on or available to the premises other than the public water supply system and includes the water supplied by the system. These auxiliary waters may include water from another purveyor's public water supply system; or water from a source such as wells, lakes, or streams or process fluids; or used water. These waters may be polluted or contaminated or objectionable or constitute a water source or system over which the water purveyor does not have control.

"Backflow" means the backflow of water or other liquids, mixtures, or substances into the distribution pipes of a potable water system from any source other than the intended source of the potable water supply.

"Backflow Prevention Device" means any device, method, or type of construction intended to prevent backflow into a potable water system. All devices used for backflow prevention in Illinois must meet the standards of the Illinois Plumbing Code and the Illinois Environmental Protection Agency.

"Consumer" or "Customer" means 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" means any water system located on the customer's premises. A building plumbing system is considered to be a customer's water system.

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

"Cross-Connection" means any physical connection or arrangement between two otherwise separate piping systems, one of which contains potable water and the other a substance of unknown or questionable safety or quality, whereby there may be a flow from one system into the other.

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

"Indirect Cross-Connection" means a cross-connection through which an unknown substance can be forced, drawn by vacuum or otherwise introduced into a safe potable water system.

"Double Check Valve Assembly" means an assembly composed of single, independently acting check valves approved under ASSE Standard 1015. A double check valve assembly and suitable connections for testing the water-tightness of each check valve.

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

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

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

"Plumbing" means the actual installation, repair, maintenance, alteration or extension of a plumbing system by any person. Plumbing includes all piping, fixtures, appurtenances and appliances for a supply of water for all purposes, including without limitation lawn sprinkler systems, from the source of a private water supply on the premises or from the main in the street, alley or at the curb to, within and about any building or buildings where a person or persons live, work or assemble. Plumbing includes all piping, from discharge of pumping units to and including pressure tanks in water supply systems. Plumbing includes all piping, fixtures, appurtenances, and appliances for a building drain and a sanitary drainage and related ventilation system of any building or buildings where a person or persons live, work or assemble from the point of connection of such building drain to the building sewer or private sewage disposal system **five (5) feet** beyond the foundation walls.

"Pollution" means the presence of any foreign substance (organic, inorganic, radiological, or biological) in water that tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water.

"Potable Water" means water which meets the requirements of 35 Ill. Amn. Code 604 for drinking, culinary, and domestic purposes.

"Potential Cross-Connection" means a fixture or appurtenance with threaded hose connection, tapered spout, or other connection which would facilitate extension of the water supply line beyond its legal termination point.

"Process fluid(s)" means any fluid or solution which may be chemically, or 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:

(A) polluted or contaminated waters;

(B) process waters;

(C) used waters originating from the public water supply system which may have deteriorated in sanitary quality;

(D) cooling waters;

(E) questionable or contaminated natural waters taken from wells, lakes, streams, or irrigation systems;

(F) chemicals in solution or suspension;

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

"Public Water Supply" means all mains, pipes and structures through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping

stations, treatment plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing water for drinking or general domestic use and which serve at least 15 service connections or which regularly serve at 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" means a device containing a minimum of two independently acting check valves together with an automatically operated pressure differential relief valve located between the two check valves and approved under ASSE Standard 1013. 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 closed shutoff valves located at each end of the device, and each device shall be fitted with properly located test cocks.

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

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

"System Hazard" means a condition through which an aesthetically objectionable or degrading material not dangerous to health may enter the public water supply system or a consumer's potable water system.

"Used Water" means any water supplied by a public water supply system to a consumer's water system after is has passed through the service connection and is no longer under the control of the water supply official custodian.

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

Section 5. WATER SYSTEM.

(A) The water system shall be considered as made up of two parts: the public water supply system and the consumer's water system.

(B) 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 Superintendent up to the point where the consumer's water system beings.

(C) 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.

(D) 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.

(E) 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.

Section 6. 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) 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.

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

Section 7. SURVEYS AND INVESTIGATIONS.

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

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

(C) It is the responsibility of the water consumer 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 (CCCDI). 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 **415 ILCS 5/4**.

(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.

Section 8. WHERE PROTECTION IS REQUIRED.

(A) 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 680. In addition, an approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises, where in the judgment of the Superintendent, 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 supply is accepted as an additional source by the Superintendent and the source is approved by the Illinois Environmental Protection Agency.

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

(3) Premises having internal cross-connections that, in the judgment of the Superintendent, are not correctable or intricate plumbing arrangements it make which 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 or cross-connections being established or reestablished.

(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 consumer's water system serving, but not necessarily limited to, the following types of facilities unless the Superintendent determines that no actual or potential hazard to the public water supply system exists:

(1) Hospitals, mortuaries, clinics, nursing homes.

(2) Laboratories.

(3) Sewage treatment plants, sewage pumping stations or storm water pumping stations.

(4) Food or beverages processing plants.

(5) Chemical plants.

(6) Metal plating industries.

(7) Petroleum processing or storage plants.
(8) Radioactive material processing plans or nuclear reactors.
(9) Car washes.
(10) Pesticide, or herbicide or extermination plants and trucks.
(11) Farm service and fertilizer plants and trucks.

Section 9. TYPES OF PROTECTION REQUIRED.

(A) The type of protection required under the preceding section 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 or health hazard.

(3) An approved fixed proper air gas 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.

(B) The type of protection required under this Article shall be an approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention connected to the public water supply when:

(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 connection 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; or
(3) water flows by gravity from a non-potable source; or water can be pumped into the fire safety system from any other source;
(4) there is a connection whereby another source can be introduced into the fire safety system.

(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.

Section 10. 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.

Section 11. **INSPECTION AND MAINTENANCE.**

(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 often 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 by passed 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 (5) days.**

(B) Testing shall be performed by a person who has been approved by the Agency as competent to service the device. Proof of approvable shall be in writing.

(C) Each device shall have a tag attached listed the date of most recent test or visual inspection, name or 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;

(3) test results;

(4) repairs or servicing required;

(5) repairs and date completed; and

(6) 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.

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

Section 12. ***BOOSTER PUMPS PROHIBITED.*** *No water customer or user shall install a booster pump on the service line to or within any premises served by the Waterworks System.*

Section 13. **VIOLATIONS AND PENALTIES.**

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

(B) Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with these regulations and to the satisfaction of the Superintendent, and the required reconnection fee is paid.

(C) Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects on conformance with these Regulations and to the satisfaction of the Superintendent.

(D) Neither the City, the Superintendent, or its agents or assigns, shall be liable to any customers of the City 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 ordinance, whether or not said termination of the water supply was with or without notice;

(E) 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 or 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.

(F) Any person found to be violating any provision of this Code 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.

(G) Any person violating any of the provisions of this Code in addition to the fine provided, shall become liable to the City for any expense, loss or damage occasioned by the City by reason of such violation, whether the same was caused before or after notice.

ARTICLE V
EXTENSION OF MAINS

Section 1. **DETERMINATION OF WHO PAYS EXPENSE OF EXTENSION.** The City Council shall first determine if an extension of water main is economically feasible based on the estimated cost of the extension and the number of existing potential users that will use water along the extension. If the extension is economically feasible then the City may install and pay the cost of the extension at the discretion of the City Council. If the City elects not to pay the cost of extending the water main then the person or persons desiring water service shall install the extension at their own personal expense upon written consent by the City Council. The City shall not pay for any extensions to an undeveloped area, such as a subdivisions being developed, unless there are sufficient existing residents or businesses to make the extension economically feasible. All extension shall comply with the "Standard Specifications for Water & Sewer Construction in the State of Illinois".

Section 2. **EASEMENTS.** Applicants for main extensions shall deliver, without cost to the City, permanent easements or right-of-way when necessary for the installation and maintenance of the extensions or subsequent additions thereto. The City shall not be obligated to authorize any construction until all requirements of this Ordinance have been met.

Section 3. **SIZE AND TYPE.** The City reserves the right to determine and specify the diameter and type of pipe required to provide the service requested, and subject to the requirements of municipal authorities, its location within or without the limits of a street. The City further reserves the right to install a main larger in diameter than the main required to render the service requested, in which case, the City will pay the difference in cost.

Section 4. TITLE. Title to all main extensions shall be vested in the City and the City shall have the right to further extend any main installed in and to other streets or premises without repayment or refund to any applicant. However, the City reserves the right to consider extensions made at the applicant's expense and without written agreement as to service lines. Upon such lines, the City will set a meter at the beginning of the extension to measure all water used and title to the line beyond the meter will be vested in the customer who shall be responsible for maintenance and replacement, when necessary.

Section 5. MAINTENANCE AND REPLACEMENT. The City, at its own expense, shall maintain and when necessary, replace the City-owned mains used to supply water to its customers, and if adequate service requires the reconstruction or replacement of such mains, the mains shall be reconstructed or replaced by the City at its expense.

ARTICLE VI
WATER RATES

Section 1. DEFINITIONS. Each dwelling, apartment, business, and farm located outside and separate from a single-family living unit is a separate unit. The user must make application for service for each unit, and each unit shall have a separate cutoff valve, meter and service line. The user shall pay the minimum monthly rate and other rates and fees herein established for each unit. For purposes of this Section, the following definitions apply:

"Dwelling" single-family living unit.

"Apartment" single-family living unit that may be an individual living unit or part of a multiple family living complex.

"Business" business outside and separate from a single-family unit. Multiple businesses on a single parcel or lot shall be required to have a separate meter for each business.

"Farm" consists of one single-family dwelling and all related farm enterprises served by the meter and service line.

Section 2. WATER REVENUES. All revenues and moneys derived from the operation of the water system shall be deposited in the water account of the water fund. All such revenues and moneys shall be held by the City Treasurer separate and apart from its private funds and separate and apart from all other funds of the City. The City Treasurer shall receive all such revenues from the water system and all other funds and moneys incident to the operation of such system as the same may be delivered to him and deposit the same in the account of the fund designated as the water and sewer system fund of the City. The Treasurer shall administer such fund in every respect in the manner provided.

Section 3. WATER ACCOUNTS. The City shall establish a proper system of accounts and shall keep proper books, records, and accounts in which complete and correct entries shall be made of all transactions relative to the system, and at regular annual intervals shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the water system. In addition to the customary operating

statements, the annual audit report shall also reflect the revenues and operating expenses of the water facilities, including a replacement cost.

Section 4. **ACCESS TO BOOKS.** The Illinois Environmental Protection Agency or its authorized representative shall have access to any books, documents, papers and records of the City which are applicable to the City system of user charges for the purpose of making audit, examination, excerpts and transcriptions thereof to insure compliance with the terms of any Loan Agreement with the City.

Section 5. **ADEQUACY OF SERVICE CHARGES.** The adequacy of the water service charge shall be reviewed by the City Council with the assistance if requested by the Council form the city engineer and any accountant performing audit services for the City. The water service charge rates shall be revised periodically to reflect the change in local capital costs or operation, maintenance and replacement costs.

Section 6. **CONNECTION CHARGES.** Applicants for water service shall pay a charge of **Nine Hundred Dollars ($900.00)** *per residential unit served; and* ***Two Thousand Eight Hundred Dollars ($2,800.00)*** *per commercial unit served.* All water tap and service connections made to the mains of the Waterworks System of the City shall conform to the regulations of this Ordinance and of the Illinois Plumbing Code. All connections and installations shall be made by the City's water and sewer department. 2" or Larger Tap 2800.00

Section 7. ***WATER RATES.*** *The following rates for the use and service supplied by the Waterworks System shall be based upon the following amount of water consumed as follows:*

(A) ***Inside City.*** *The minimum charge per month for water service shall be $17.50. The rate of water service per 1,000 gallons of water used as shown by meter readings shall be as follows:*

First 1,000 gallons per month	*$17.50 per 1,000 gallons*
Each next 1,000 gallons thereafter	*$6.50 per 1,000 gallons*

(B) ***Outside City.*** *The minimum charge per month for water service shall be $26.25. The rate of water service per 1,000 gallons of water used as shown by meter reading shall be as follows:*

First 1,000 gallons per month	*$26.25 per 1,000 gallons*
Each next 1,000 gallons thereafter	*$7.50 per 1,000 gallons*

(C) ***Temporary Surcharge.*** *Each customer account shall be charged a monthly surcharge of $5.25 for a term of three consecutive billing cycles commencing with the first monthly billing for services rendered after the effective date of this Ordinance.*

Section 8. **REQUESTED SHUT-OFF.** If user requests water to be shut off, there will be a **Twenty-Five Dollar ($25.00)** fee to have the water turned on again.

ARTICLE VII
BILLING AND SHUTOFF PROCEDURES

Section 1. **FAILURE TO RECEIVE BILL.** Failure to receive a bill shall not excuse a customer from his obligation to pay within the time specified. Should the City be unable to bill a customer for services used during any month, the following monthly billing shall include the charges for services used during the unbilled month.

Section 2. **BILLING SCHEDULE.** All bills for services shall be rendered monthly on the first day of the month following the date meters are read, and all bills will be paid to the Treasurer of the City or his designated representative.

Section 3. **LATE PAYMENT PENALTY AND DELINQUENCY.** There will be a **Ten Percent (10%)** penalty added to each bill that is unpaid **twenty (20) days** after mailing. If any bill remains unpaid twenty-five (25) days after mailing, such charges shall be deemed delinquent, and the customer's water services subject to shutoff as set forth in this Article.

Section 4. **SHUTOFF PROCEDURES.** The following procedures shall be followed in the termination of water services to a customer for a delinquent account:

(A) The City shall send a delinquency and termination notice to the customer by first class mail containing the following information:

(1) name and address of customer;
(2) the amount due for services including late penalties;
(3) the customer's right to a hearing before the Mayor or his designated representative if he does not agree with the bill;
(4) notice that service will be terminated without further notice of proceedings if the customer does not pay the amount due or fails to request in writing a hearing within **fifteen (15) days** of the notice;
(5) the date of termination.

(B) The hearing shall be conducted at City Hall with the Mayor or his designated representative presiding. The customer may present evidence in his behalf. The Mayor or his designated representative shall make a determination as to the merits of the customer's claim based upon the evidence received at the hearing. A customer's failure to appear at the hearing shall result in the termination of his service without further notice.

(C) The customer shall be notified in person or by first class mail of the decision by the Mayor or his designated representative. If service is to be disconnected, an order shall be issued terminating service **five (5) days** after the date of the order. However, if the order is made at the hearing in the presence of the customer, no further notice is required.

(D) If the customer who has been notified for non-payment is not the owner of record, the City shall notify the owner of the property by first class mail.

(E) Once service has been disconnected the same shall not be again connected or used until all delinquent accounts and bills of service are paid in full including a fee of **twenty-five dollars ($25.00)** for each connection of such utility services, plus expenses incurred in the reconnecting of the utility services.

Section 5. **LIEN NOTICE.** Whenever a bill for water services remains unpaid for **sixty (60) days** after it has been rendered, the City Clerk 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 City claims a lien for this amount for the period covered by the bill.

ARTICLE VIII
VALIDITY

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

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

ARTICLE IX
EFFECTIVE DATE

This Ordinance shall be in full force and effect on the first day of the month following its passage and publication as provided by law.

PASSED AND ADOPTED by the City Council of the City of Sumner, Illinois and approved by the Mayor this 12 day of April, 2011.

VOTE: 4 Ayes 0 Nays 2 Absent 0 Abstain

Larry B Stoltz

Larry Stoltz, Mayor
City of Sumner, Illinois

Attest:

Blanche Piper

Blanche Piper, City Clerk
City of Sumner, Illinois