

TITLE V
WATER

Article 1
Water System

Section 1 **Supervision of the Water System.** The operation and maintenance of the waterworks system shall be under the control and supervision of the water department which shall be an executive department of the Village. The President and Board of Trustees are authorized to create by ordinance a Board of Water Commissioners to have general control and supervision of the water department. The chief of municipal operations shall superintend the water department and all other necessary employees. The chief of municipal operations shall have the authority for the general management and control of the waterworks system; subject however, to the supervision of the President and Board of Trustees or the Board of Water Commissioners if such a Board of Water Commissioners is ever established.

Section 2 **Required Connection to Water System.**

2.1 Every building constructed, repaired, rebuilt, added onto, or renovated which is intended for human habitation, occupancy, residency, or for use in conjunction with the operation of a business, trade, profession, or industry and the property on which it is located or any portion which is located within two hundred (200) feet of a public waterline, shall have an individual connection to the public water line. It shall be unlawful to construct, repair, rebuild, add onto, or renovate any building without connecting it to the public water line.

A. **Connecting to a water main for a property located within the Village of Carbon Cliff that does not front on a street on which a Village water main is located.**

1. Connection At Owner's Expense. The owner of any property which does not front on a street in which a Village water main is located shall be required to install, at his own expense, the necessary water main extensions in accordance with the Village specifications and requirements as approved by the Village Engineer, and in addition, shall comply with all the requirements hereinafter set forth in Subsections B. and C. In the event an owner constructs the necessary water main extensions at his expense, an agreement may be made between the owner and the Village to run for a period not to exceed twenty (20) years, and providing for the Village to collect a connection fee from the owner of any intervening property who connects to the water main extensions with the connection fee to be the standard fee of the Village plus a proportion of the cost of construction of the water main extensions, and to also provide for the Village to pay the construction cost portion of the fee to the property owner who originally paid for the construction. Before beginning construction of any such above-described extension, the property owner shall grant the Village a bill of sale (in the form as attached as Appendix 1 to this section) transferring ownership and maintenance of any such extensions to the Village.
2. Fees: Deferred Payments. For each property improved by a single-family residence, the fee for connecting to the Village water main shall be two thousand dollars and zero cents (\$2,000.00) for a standard ¾" connection or such amount as may be determined by the corporate authorities. General Contractors must

pay the connection fee in full before the connection is made. For Owner Occupied properties where the property owner is also the builder, the connection fee must be paid prior to the connection being made, or monthly over a five (5) year period, provided the first payment must be paid within thirty (30) days of the agreement for connection to the water main being approved. The remaining monthly installments thereafter shall be made per the agreement until paid in full, with interest accruing at a monthly (APR) rate of ten (10) percent. Should the property owner elect to pay the connection fee in installments, he shall execute a proper contract with the Village wherein he agrees to make such payments; said agreement shall be recorded in the office of the Rock Island County recorder and shall be binding upon successors in title to the property for which the connection is made. The water connection shall be made once the connection fee is paid in full or once an agreement with the Village has been approved and the first installment payment has been made.

3. Building Other Than Single-Family Residence. For each property improved by any building other than a single-family residence, the fee shall be four thousand dollars and zero cents (\$4,000.00) or such amount as may be determined by the corporate authorities.
4. No provision of this article shall be construed as preventing any special arrangement agreement or contract between the Village and any municipality, person, or industrial concern for water service, subject to the rate, cost, or conditions as established by the Village.

B. Connecting to a water main for a property contiguous to the Village of Carbon Cliff and not located within another municipality. No property contiguous to the Village limits and not located within the corporate limits of another municipality shall be permitted to connect to the Village water main until said property shall have been annexed to the Village. After annexation, the property may be connected to the water mains of the Village upon the following conditions:

1. Connection At Owner's Expense. The owner of any property which does not front on a street in which a Village water main is located shall be required to install, at his own expense, the necessary water main extension in accordance with the Village specification and requirements as approved by the Village Engineer, and in addition, shall comply with all the requirements hereinafter set forth in Subsections B. and C. In the event an owner constructs the necessary water main extensions at his expense, an agreement may be made between the owner and the Village to run for a period not to exceed twenty (20) years and providing for the Village to collect a connection fee from the owner of any intervening property who connects to the water main extension with the connection fee to be the standard fee of the Village plus a proportion of the cost of construction of the water main extension, and to also provide for the Village to pay the construction cost portion of the fee to the property owner who originally paid for the construction. Before beginning construction of any such above-described extension, the property owner shall grant the Village a bill of sale (in the form as

attached as Appendix 1 to this section) transferring ownership and maintenance of any such extension to the Village.

2. Fees: Deferred Payments. For each property improved by a single-family residence, the fee for connecting to the Village water main shall be two thousand dollars and zero cents (\$2,000.00) for a standard ¾" connection or such amount as may be determined by the corporate authorities. General Contractors must pay the connection fee in full before the connection is made. For Owner Occupied properties where the property owner is also the builder, the connection fee must be paid prior to the connection being made, or monthly over a five (5) year period, provided the first payment must be paid within thirty (30) days of the agreement for connection to the water main being approved. The remaining monthly installments thereafter shall be made per the agreement until paid in full, with interest accruing at a monthly (APR) rate of ten (10) percent. Should the property owner elect to pay the connection fee in installments, he shall execute a proper contract with the Village wherein he agrees to make such payments; said agreement shall be recorded in the office of the Rock Island County recorder and shall be binding upon successors in title to the property for which the connection is made. The water connection shall be made once the connection fee is paid in full or once an agreement with the Village has been approved and the first installment payment has been made.
3. Building Other Than Single-Family Residence. For each property improved by any building other than a single-family residence, the fee shall be four thousand dollars and zero cents (\$4,000.00) or such amount as may be determined by the corporate authorities.
4. No provision of this article shall be construed as preventing any special arrangement agreement or contract between the Village and any municipality, person, or industrial concern for water service, subject to the rate, cost, or conditions as established by the Village.

C. **Connecting to a water main for a property not contiguous to the Village of Carbon Cliff.** Provided that the property to be served is within two hundred (200) feet of a Village water main and not contiguous to the Village, it may be connected to the water mains of the Village upon payment of a connection fee and compliance with the following conditions:

1. All provisions, including prior and future amendments of 65 ILCS 5\11-15.1-1 et. seq., are incorporated and included by reference herein.
2. Connection at owner's expense. The owner of any such property which does not front on a street in which a Village water main is located shall be required to install, at the owner's expense, the necessary water main extensions in accordance with Village specifications and requirements, as approved by the Village Engineer, and in addition shall comply with all the requirements hereinafter set forth in Subsections C., D., and E. In the event an owner

constructs the necessary extensions at his expense, an agreement may be made between the owner and the Village to run for a period not to exceed twenty (20) years and providing for the Village to collect a connection fee from the owner of any intervening property who connects to the water main extension with the connection fee to be the standard fee of the Village plus a proportion of the cost of construction of the water main extension, and to also provide for the Village to pay the construction cost portion of the fee to the property owner who originally paid for the construction. Before beginning construction of any such above-described extension, the property owner shall grant the Village a bill of sale (in the form attached as Appendix 1 to this section) transferring ownership and maintenance of any such extension to the Village.

3. Fees: Deferred Payments. For each property improved by a single-family residence, the fee for connecting to the Village water main shall be two thousand dollars and zero cents (\$2,000.00) for a standard ¾" connection or such amount as may be determined by the corporate authorities. General Contractors must pay the connection fee in full before the connection is made. For Owner Occupied properties where the property owner is also the builder, the connection fee must be paid prior to the connection being made, or monthly over a five (5) year period, provided the first payment must be paid within thirty (30) days of the agreement for connection to the water main being approved. The remaining monthly installments thereafter shall be made per the agreement until paid in full, with interest accruing at a monthly (APR) rate of ten (10) percent. Should the property owner elect to pay the connection fee in installments, he shall execute a proper contract with the Village wherein he agrees to make such payments; said agreement shall be recorded in the office of the Rock Island County recorder and shall be binding upon successors in title to the property for which the connection is made. The water connection shall be made once the connection fee is paid in full or once an agreement with the Village has been approved and the first installment payment has been made.
4. Building Other Than Single-Family Residence. For each property improved by any building other than a single-family residence, the fee shall be four thousand dollars and zero cents (\$4,000.00) or such amount as may be determined by the corporate authorities.
5. Water Rental Fee. The owner of each such property shall pay to the Village, in addition to the connection fee and water usage fee, a water rental fee assessed in accordance with the schedule of fees adopted from time to time by the corporate authorities and on file in the office of the Village Clerk.
6. No provision of this article shall be construed as preventing any special arrangement agreement or contract between the Village and any municipality, person, or industrial concern for water service, subject to the rate, cost, or conditions as established by the Village.

D. **Connecting to a water main for a property contiguous to the Village of Carbon Cliff but located within the corporate limits of another municipality.** Provided that

the property to be served is contiguous to the Village but situated within the corporate limits of another municipality, it may be connected to the water mains of the Village, and upon payment of a connection fee in addition to compliance with the following conditions:

1. There must be an intergovernmental agreement between the Village of Carbon Cliff and the other municipality that will allow the Village to provide water services to the property.
2. Connection At Owner's Expense. The owner of any such property which does not front on a street in which a Village water main is located shall be required to install, at the owner's expense, the necessary water main extensions in accordance with Village specifications and requirements, as approved by the Village Engineer, and in addition shall comply with all the requirements hereinafter set forth in Subsections C., D., and E. In the event an owner constructs the necessary extensions at his expense, an agreement may be made between the owner and the Village to run for a period not to exceed twenty (20) years and providing for the Village to collect a connection fee from the owner of any intervening property who connects to the water main extension with the connection fee to be the standard fee of the Village plus a proportion of the cost of construction of the water main extension, and to also provide for the Village to pay the construction cost portion of the fee to the property owner who originally paid for the construction. Before beginning construction of any such above-described extension, the property owner shall grant the Village a bill of sale (in the form attached as Appendix 1 to this section) transferring ownership and maintenance of any such extension to the Village.
3. Fees: Deferred Payments. For each property improved by a single-family residence, the fee for connecting to the Village water main shall be two thousand dollars and zero cents (\$2,000.00) for a standard ¾" connection or such amount as may be determined by the corporate authorities. General Contractors must pay the connection fee in full before the connection is made. For Owner Occupied properties where the property owner is also the builder, the connection fee must be paid prior to the connection being made, or monthly over a five (5) year period, provided the first payment must be paid within thirty (30) days of the agreement for connection to the water main being approved. The remaining monthly installments thereafter shall be made per the agreement until paid in full, with interest accruing at a monthly (APR) rate of ten (10) percent. Should the property owner elect to pay the connection fee in installments, he shall execute a proper contract with the Village wherein he agrees to make such payments; said agreement shall be recorded in the office of the Rock Island County recorder and shall be binding upon successors in title to the property for which the connection is made. The water connection shall be made once the connection fee is paid in full or once an agreement with the Village has been approved and the first installment payment has been made.

4. Building Other Than Single-Family Residence. For each property improved by any building other than a single-family residence, the fee shall be four thousand dollars and zero cents (\$4,000.00) or such amount as may be determined by the corporate authorities.
 5. Water Rental Fee. The owner of each such property shall pay to the Village, in addition to the connection fee and water usage fee, a water rental fee assessed in accordance with the schedule of fees adopted from time to time by the corporate authorities and on file in the office of the Village Clerk.
 6. No provision of this article shall be construed as preventing any special arrangement agreement or contract between the Village and any municipality, person, or industrial concern for water service, subject to the rate, cost, or conditions as established by the Village.
- 2.2 Every building which is intended for human habitation, occupancy, residency, or for use in conjunction with the operation of a business, trade, profession, or industry which is located within the corporate limits of the Village of Carbon Cliff shall be required to connect to the public waterline of the Village of Carbon Cliff if such public waterline is reasonably accessible (with such accessibility to be determined by the Village Engineer and as approved by the corporate authorities).
- 2.3 Every building which is intended for human habitation, occupancy, residency, or for use in conjunction with the operation of a business, trade, profession, or industry which is located within the corporate limits of the Village of Carbon Cliff, shall be specifically prohibited from connecting to the utilities of another municipality without an intergovernmental agreement between the Village of Carbon Cliff and such other municipality allowing such a connection.
- 2.4 For purposes of this section, individual residences that share a common wall or ownership right and have ground floor access, such as townhouses or rowhouses, shall be treated as separate buildings and shall have separate connections to the public water system, as required in the Illinois Plumbing Code 12/98, (77 Illinois Administrative Code), part 890, Section 890.170(a).

Section 3 Water Service and Deposits.

- 3.1 Application for water service and water deposit. No water shall be turned on for use on or in any building of any nature until an application in writing has been made for that purpose and filed with the Village. The water application shall be in the form prescribed by the Village Collector and, among other things, shall be signed by the applicant, shall state the purpose for which water is to be used, and shall be accompanied by a water deposit paid by the owner of the premises. The water deposit shall be in an amount reasonably commensurate with the probable size of the applicant's quarterly water and sewerage bill, as determined by the Village Collector, but which deposit shall in no event be less than as provided by the following schedule:
- A. For each single-family dwelling – \$200.00

- B. For duplex dwelling with a single meter – \$200.00
- C. For a multi-family dwelling with a single meter – \$200.00
- D. For a commercial, business, or industrial establishment – \$200.00

A right is reserved to the Village Collector to require an additional deposit if, after six (6) months of service, the quarterly water and sewerage services of the applicant are greater than the amount of the applicant's existing deposit.

3.2 Return of Water Deposit. The water deposit shall be retained by the Village Collector until the applied-for service is discontinued and it shall then be returned to the applicant. Any charges for sewer, water, or garbage service collection then due or owing to the Village shall be retained by the Village Collector from the water deposit unless the applicant shall present satisfactory proof of payment. Provided, the Village Collector may refund the water deposit to the applicant under the following provisions:

- A. Any owner who shall establish a record of paying his sewer and water bills for the premises on or before the due date as shown on such bills for a period of two (2) years following the date of deposit shall be entitled to a refund, at the option of the Village Collector, be credited to the account of the applicant unless prior demand has been made for payment by check.
- B. Any owner who is delinquent on their water and sewer bill payments within the first two (2) years following the date of deposit, at the option of the Village Collector, shall have their deposit automatically credited to the account of the applicant before late fees are applied. Upon crediting the account, the Village shall notify the owner by means of standard mail that the deposit has been applied to their account. If a balance remains on the account, the Collector shall include the amount of the balance and require payment pursuant to Village Ordinance.
- C. Any owner who is moving from one premises to another within the Village, as the owner of a new premises, may have their water deposit transferred to the new location. The final bill upon the former premises must be promptly paid by the owner, or the water and sewer service at the new location shall be disconnected pursuant to Village Ordinance. If a water deposit has already been made and returned at the former premises, a deposit will not be required at the new premises.
- D. If a change in the head of a household takes place as a result of marriage, separation, divorce, or death of a spouse, and one of the parties retains ownership and residency with a particular premises, and the account exhibits a previous record of two (2) years of good credit in payment, the requirement of a cash deposit shall be waived.

3.3 Interest on Water Deposits. Each water deposit shall remain in escrow and no interest shall accrue on such water deposits to the depositor.

- 3.4 Notification of Change. Any party or person signing an application pursuant to the terms of this article, or any person connected to the waterworks system shall be obligated to provide written notice to the Village Collector of any termination or change in the occupancy or tenancy of the premises so hooked onto the waterworks systems, or of the discontinuance or interruption of water service to those premises. In the event that any such person or party fails to give such written notice, he shall remain responsible for the water services and charges for that property until such time as the Village Collector has received written notice of such termination, change in occupancy, or tenancy, discontinuance, or interruption.
- 3.5 No Service Until Payment of Delinquent Charges. No person, as either an owner or a tenant, who, in changing his residence or place of business from one location to another location served by the waterworks system shall be supplied water until an application for the new location is signed and all delinquent water, sewer, and garbage collection charges against his former residence or place of business has been paid in full. Water at the new location shall not be turned on until settlement of such delinquent water and sewer service charges have been arrived at with respect to the former location. A service charge of Twenty-Five Dollars (\$25.00) shall be made in this instance for turning the water on and processing office records.
- 3.6 Discontinued Water Service. At any time, any premises are to be vacated, the property closed for any length of time, or service discontinued to make repairs, an application shall be made to the water department to have the Village water supply shut off or discontinued. The water department shall then shut off the water supply, read the water meter, and render a bill covering the water and sewer service charge accrued. The Village water supply shall not be turned on until all unpaid bills, interest charges, and fees, have been paid. For any premises that have had service discontinued upon failure to pay the water bill a disconnection and reconnection fee shall be paid.
- A. Disconnection Fee. The Village shall charge a Twenty-Five Dollar (\$25.00) disconnection fee to have the water supply shut off or discontinued.
- B. Reconnection Fee. The Village shall charge a Twenty-Five Dollar (\$25.00) reconnection fee to have the water supply turned on or reconnected.

Section 4**Water Meters**

- 4.1 All new meters and all replacement meters to be installed by the Village shall be digital readout meters with radio read capabilities unless circumstances and/or conditions otherwise require another type of meter as approved by the Village.
- 4.2 Any water service customer who requests or requires a replacement meter, not associated with an upgrade in equipment originated by the Village, shall be responsible for the cost of the replacement meter. The cost of the replacement meter, charged to the customer, shall be equal to the total invoiced amount the Village paid to purchase the meter from the supplier.
- 4.3 Any water service customer requesting a secondary meter shall pay the cost of the meter. The cost of the secondary meter shall be equal to the total invoiced amount the Village paid to purchase the meter from the supplier.

- 4.4 Any water service customer requesting an accuracy calibration test, to be performed on their meter, shall pay the total cost of the calibration test unless the results of the test indicate the meter was not calibrated properly.
- 4.5 Any digital readout meter purchased by a water service customer shall be installed at a location designated by the Village water department, and the installation shall either be performed by the Village water department or shall be inspected by the Village water department.
- 4.6 Commercial and nonstandard-sized meter customers. If a new meter is needed, after the date of passage of this ordinance, the customer shall provide at their expense a digital readout meter with radio read capabilities as approved by the Village. Upon installation of the meter, the Village shall reimburse the customer the cost of a residential meter. The cost of the said residential meter shall be no greater than that of the total invoiced amount the Village would pay to purchase the meter from the supplier.
- 4.7 Commercial and nonstandard-sized meter customers shall have their meter accuracy calibrated or replaced every 10 years of service beginning with the date of installation. The cost of the accuracy calibration test shall be the customer's responsibility. A copy of the accuracy calibration report shall be sent to the Village Collector and kept on file at the Village Hall.

Section 5 Water Rates.

For a term commencing October 1, 2009, thru September 30, 2010, there shall be and there is established a basic user rate for the use of and for the service supplied by the water facilities of the Village.

A. Monthly Rates:

1. For single-family dwellings and multi-family dwellings which have a meter for each residential unit:

0 – 2,500 gallons per month. Minimum of \$21.48.

Over 2,500 gallons per month Minimum of \$21.48 plus \$1.70 per 1,000 gallons over 2,500 gallons.

2. For multi-family dwellings which do not have a meter for each residential unit:

0 – 2,500 gallons per month. Minimum of \$21.48 for the first residential unit and \$14.92 for each additional residential unit.

Over 2,500 gallons per month. \$21.48 for the first residential unit and \$14.92 for each additional residential unit plus \$1.70 per 1,000 gallons over 2,500 gallons.

3. For users zoned for Village zoning purposes as C-1, C-2, I-1, I-2, and including all restaurants and industrial zoned users:

0 – 2,500 gallons per month. Minimum of \$28.07.

Over 2,500 gallons per month. Minimum of \$28.07 plus \$2.82 per 1,000 gallons over 2,500 gallons.

B. Quarterly Rates:

1. For single-family dwellings and multi-family dwellings which have a meter for each residential unit:

0 – 7,500 gallons per month. Minimum of \$64.44.

Over 7,500 gallons per month Minimum of \$64.44 plus \$1.70 per 1,000 gallons over 7,500 gallons.

2. For multi-family dwellings which do not have a meter for each residential unit:

0 – 7,500 gallons per month. Minimum of \$64.44 for the first residential unit and \$44.76 for each additional residential unit.

Over 7,500 gallons per month. \$64.44 for the first residential unit and \$44.76 for each additional residential unit plus \$1.70 per 1,000 gallons over 7,500 gallons.

3. For users zoned for Village zoning purposes as C-1, C-2, I-1, I-2, and including all restaurants and industrial zoned users:

0 – 7,500 gallons per month. Minimum of \$84.21.

Over 7,500 gallons per month. Minimum of \$84.21 plus \$2.82 per 1,000 gallons over 7,500 gallons.

- 4.a. Persons who qualify for senior citizen's rate and who are metered users for water consumption shall pay the following water rates:

Water rate of Eighty-Five Cents (\$0.85) per hundred (100) gallons of water used with a minimum charge of Twenty-one Dollars and Forty-Eight Cents (\$21.48) for the first month of a quarter, a minimum charge of Fourteen Dollars and Ninety-two Cents (\$14.92) for the second month of a quarter, and a minimum charge of Fourteen Dollars and Ninety-Two Cents (\$14.92) for the third month of a quarter.

- 4.b. If a single person living alone applies, that individual must be at least sixty (60) years of age. If a couple applies, at least one (1) of the applicants must be at least sixty (60) years of age.

For this section, a couple is defined as, “Any two persons occupying a dwelling and living as a single housekeeping unit.”

For a term commencing on October 1, 2010, there shall be and there is established a basic user rate for the use of and for the service supplied by the water facilities of the Village.

A. Monthly Rates:

1. For single-family dwellings and multi-family dwellings which have a meter for each residential unit:

0 – 2,500 gallons per month. Minimum of \$25.78.

Over 2,500 gallons per month Minimum of \$25.78 plus \$2.04 per 1,000 gallons over 2,500 gallons.

2. For multi-family dwellings which do not have a meter for each residential unit:

0 – 2,500 gallons per month. Minimum of \$25.78 for the first residential unit and \$17.90 for each additional residential unit.

Over 2,500 gallons per month. \$25.78 for the first residential unit and \$17.90 for each additional residential unit plus \$2.04 per 1,000 gallons over 2,500 gallons.

3. For users zoned for Village zoning purposes as C-1, C-2, I-1, I-2, and including all restaurants and industrial zoned users:

0 – 2,500 gallons per month. Minimum of \$33.68.

Over 2,500 gallons per month. Minimum of \$33.68 plus \$3.38 per 1,000 gallons over 2,500 gallons.

B. Quarterly Rates:

1. For single-family dwellings and multi-family dwellings which have a meter for each residential unit:

0 – 7,500 gallons per month. Minimum of \$77.34.

Over 7,500 gallons per month Minimum of \$77.34 plus \$2.04 per 1,000 gallons over 7,500 gallons.

2. For multi-family dwellings which do not have a meter for each residential unit:

0 – 7,500 gallons per month. Minimum of \$77.34 for the first residential unit and \$53.70 for each additional residential unit.

Over 7,500 gallons per month. \$77.34 for the first residential unit and \$53.70 for each additional residential unit plus \$2.40 per 1,000 gallons over 7,500 gallons.

3. For users zoned for Village zoning purposes as C-1, C-2, I-1, I-2, and including all restaurants and industrial zoned users:

0 – 7,500 gallons per month. Minimum of \$101.04.

Over 7,500 gallons per month. Minimum of \$101.04 plus \$3.38 per 1,000 gallons over 7,500 gallons.

- 4.a. Persons who qualify for senior citizen's rate and who are metered users for water consumption shall pay the following water rates:

Water rate of One Dollar and Two Cents (\$1.02) per hundred (100) gallons of water used with a minimum charge of Twenty-Five Dollars and Seventy-Eight Cents (\$25.78) for the first month of a quarter, a minimum charge of Seventeen Dollars and Ninety Cents (\$17.90) for the second month of a quarter, and a minimum charge of Seventeen Dollars and Ninety Cents (\$17.90) for the third month of a quarter.

- 4.b. If a single person living alone applies, that individual must be at least sixty (60) years of age. If a couple applies, at least one (1) of the applicants must be at least sixty (60) years of age.

For this section, a couple is defined as, "Any two persons occupying a dwelling and living as a single housekeeping unit."

Section 6

Water Bills.

- 6.1 Delinquent Bills. Upon failure to pay the water bills on or before the thirtieth (30th) day of the first month of the next quarter following the billing period (January 30th, April 30th, July 30th, and October 30th), the Village Collector shall prepare or cause to be prepared and shall mail by certified mail to the address where the water service is in use, unless the owner has provided another address, a final notice to the occupants and/or owner that water service to the premises will be discontinued and/or a lien for the water/sewer usage bill will be filed with the Rock Island County recorder of deeds unless the water bill together with service charge and/or the late charge are paid within fifteen (15) days of the date of the final notice.

- A. The final notice shall state that the owner may request a hearing before the Public Works Committee to contest the accuracy of the bill or to request an extension for payment of the bill. All requests for a hearing must be submitted in writing to the Village Collector before the end of the fifteenth (15th) day from the date of the collector's final notice.
- B. If at the close of the business day of the fifteenth (15th) day following the mailing of the final notice, the water bill together with the service charge and/or the late charge are not paid or the occupant or owner has not requested a hearing, then the Village Collector shall

authorize the maintenance department to discontinue service at the curb and/or the Village Collector shall file a lien on the property.

- C. A hearing contesting the accuracy of a bill, for an extension for payment of the bill, or otherwise contesting the discontinuance of water service shall be held within thirty (30) days of the receipt of a request for a hearing. After such a hearing, the Public Works Committee shall forward a written decision to the occupant or contestant via certified mail. If the committee decides to discontinue water service, such water service shall not be disconnected until the end of the tenth (10th) day following the mailing of such a decision. No water service shall be discontinued if the Village Collector receives payment in full of the water bill, together with the service charge and/or late charge, before disconnection by the maintenance department. Further, water service shall be reinstated upon the Village Collector's receipt of payment in full of the water bill together with service charge and/or late charge and a Twenty-Five Dollar (\$25.00) reconnection fee as provided in the following paragraph.
1. There shall be a charge due to the Village upon the mailing of each notice that a lien will be filed for failure to pay a water bill. The charge shall be based on current postage rates plus a minimum of \$1.00 for administrative costs.
 2. There shall be a charge due to the Village upon the mailing of a notice of disconnection to the water user. The charge shall be based on current postage rates plus a minimum of \$1.00 for administrative costs.
 3. Following such time as the water service has been disconnected on account of failure to pay for water service, there shall be a Twenty-Five Dollar (\$25.00) fee paid by the water user to reconnect the water service.

6.2 Lien-Notice of Delinquency. Whenever the bill for water service remains unpaid after the final notice has been made as provided in Section 6.2, the Village Collector will file with the County Recorder of Deeds a statement of the lien claim. This statement shall set forth the legal description of the premises served, the amount of the unpaid bill together with the amount of the late charge(s), and any other charge due plus interest on the amount of the lien at the rate of twenty percent (20%) per annum, which runs from the date of the lien, and a notice that the Village claims a lien on the described real estate:

- A. If the user whose bill is unpaid is not the owner of the premises, and the Village Collector has notice of this, the Village Collector shall mail a notice to the owner that a lien has been filed on such premises.
- B. The failure of the Village to record such lien or to mail such notice, or the failure of the owner to receive such notice, shall not affect the rights to foreclose the lien for unpaid bills as mentioned in the foregoing paragraph.
- C. If the Village Collector shall have filed the statement of lien claim with the County recorder of deeds, then before the Village will execute and file a release of the lien with the County recorder of deeds, there shall be paid to the Village Collector all outstanding amounts due

to the Village including the late charge, all service charges, interest, and the costs to cover the Village's expenses in recording the releases of the lien claim.

Section 7

Reading Water Meters. Every water meter shall be read each quarter by a water department representative during the month preceding the billing date. In the event of the water department representative's inability to gain entrance for such a reading, the water bill shall be estimated for that quarter. However, an on-the-site reading must be obtained for the next succeeding quarter. The owner, user, occupant, or tenant, as the case may be, will be charged Two Dollars and Fifty Cents (\$2.50) for each visit if the water department representative must make more than two attempts to read the meter. If the Village representative is unable to gain entrance to read the meter after two attempts, the Village shall require the owner to install a digital meter on the premises, as set forth in Section 4.

7.1 In such cases, the Village Collector shall give written notice to the owner that a digital meter must be installed on the premises. If a digital meter is not installed within thirty (30) days of the notice, the Village Collector shall give written notice to the owner and/or occupants that water service will be discontinued within thirty (30) days if the digital meter is not installed. The notice shall inform the addressees that they are entitled to submit a written request within ten (10) days from the date of the notice to the Village Collector for a hearing before the Hearing Committee to contest the grounds for discontinuance. All hearings held for such matters shall be held within fourteen (14) days of the receipt of the request for a hearing. After the hearing, the Hearing Committee shall forward a written decision to the contestant via certified mail; and if the committee's decision is to discontinue water service, the water service shall not be discontinued until the end of the tenth day following the mailing of the decision. No water shall be discontinued if a digital meter is installed prior to the disconnection by the Village systems operator.

Section 8

Authority of Water Department. The Village Collector may put any water service on a monthly payment basis if, in his judgment, it would be in the best interest of the Village to do so. In such a case, the monthly bill shall be due on the first day of each month after the service has been used.

8.1 The Village shall have full power and authority to require that payment in advance for the use of water furnished by it to any building, place, premises, or location. In case prompt payment for the same shall not be made, the Village may shut off the water from such building, place, premises, or location and shall not be compelled again to supply the building, place, premises, or location with water until all arrearages, with interest thereon, together with the costs and expenses of turning the water off and on shall be fully paid.

8.2 All bills for installation of special water service repairs shall be based on a rate of Fifteen Dollars (\$15.00) per hour for labor plus the cost of materials, with a minimum charge of Fifteen Dollars (\$15.00). The bills shall be payable to the water department as soon as such work is completed and the bill is rendered. If the bill or bills are not promptly paid, the Village water supply may be discontinued according to the procedure set forth in Section 6.2. Following discontinuance of water service, service shall be reinstated upon the Village Collector's receipt of the full amount of such bill or bills, together with interest at the rate of eighteen (18) percent per annum, and the fee for turning the water off and on.

Section 9

Water for Construction. Persons, corporations, companies, or entities of any type desiring to use Village water for building or construction purposes shall make an application in writing and file the same in the office of the Village Collector on a form prescribed for that purpose. Upon a permit being granted and signed by the Village systems operator, then the water to be used for construction purposes can only be obtained in the following manner:

9.1 Through a water meter installed for that purpose, in accordance with the provisions of this section governing the installation, cost of installation, and removal of meters.

All water consumed shall be billed to the applicant and all water registered by the meter shall be paid for at the regular water meter rates.

9.2 No meter larger than one inch shall be set for construction purposes and no hose or pipe connection of more than one inch in diameter shall be permitted or allowed on the meter. The applicant for such a meter shall be held responsible for any damage to the meter after it is set. In case the dial is broken, or the meter fails to register the amount consumed, water must be paid for at the regular flat rate governing such work, with the rates to be determined by the Village Collector and the Public Works Committee of the Board of Trustees.

9.3 Water may be obtained through an existing water meter on the premises, or an adjoining property after proper authorization for water supply in this manner has been granted.

9.4 Where water cannot be obtained from any other source, a meter will be attached to one of the openings of a fire hydrant with the supply of water controlled by a small valve on the meter connection. In no case shall the fire hydrant valve properly be opened or closed by anyone but a representative of the water department. A service charge of Twenty-Five Dollars (\$25.00) shall be made for the use of a fire hydrant in this respect.

Section 10

Service Pipes. All service pipes and fixtures from the street water main to the premises, including the corporation water cock at the main, shall be installed and maintained at the expense of the property owner, and any leaks or other defects in the same shall be promptly repaired by them, or if not promptly repaired by them, the water shall be shut off until the repairs have been made and the expense shall be charged against the owner, becoming a lien upon the property and must be paid before water service will again be turned on. The owner shall be billed for water lost by virtue of leaks or other defects based on an estimate made by the chief of municipal operations pursuant to American Waterworks Association Standards, with a minimum of Three Dollars (\$3.00) per day.

10.1 No person shall in any manner obstruct the access to any stop cock, hydrant or valve, or any public faucet or opening for taking water in any street, alley, public ground, or place connected with or forming a part of the waterworks system, nor pile or place any lumber, brick or building material or other articles, things or hindrance within twelve (12) feet of the same, or so as to in any manner hinder, delay, or obstruct the members of the Fire Department in reaching the same.

10.2 The stop cock or shut-off box of every water service must be kept flush with the surrounding ground or sidewalk surface and must be visible from the curb or sidewalk and the valves therein at the curb box and/or shut-off must be kept in good condition at all times by the

property owner for immediate use. If the Village representative is unable to locate the stop cock or shut-off box, the Village may bill the property owner for the time and materials necessary to locate and restore the condition of the stop cock and shut-off box.

- 10.3 It shall be unlawful for any person in any manner to interfere with or obstruct the flow, retention, storage, or authorized use of water in the water system, reservoir, or plant, or any part thereof, or to injure, deface, remove or displace any water main, hydrant, service pipe, shut-off box, a public fountain, valve, engine or building connected with the water system or plant, or to cause, suffer or permit any of said things to be done.
- 10.4 The Village shall not be liable or responsible by reason of the breaking of any service pipe or apparatus water coil or for failure in the supply of water.

Section 11 Rules and Regulations. The following rules and regulations for the consumers of water and plumbers are adopted and established:

- 11.1 No water consumer may supply water to other families or allow them to take it, except for use on the premises and for the purposes specified in the application.
- 11.2 After the water has been introduced into any building or upon any premises, no water consumer shall 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 a written permit to be issued by the Village systems operator.
- 11.3 The Village reserves the right to shut off the water at any time in the mains for the purpose of repairing, cleaning, making connections with or extensions to the same, or for the concentration of water in any part of the Village in case of fire or for restricting the use of the water in case of deficiency in supply. No claim shall be made against the Village by reason of the breaking of any service pipe or service cock, or damage arising from shutting off of the water for repairing, laying, or relaying mains, hydrants, or other connections or repairing any part of the water system, or from the failure of the water supply, or by increasing the water pressure at any time, or from concentration or restricted use of water as set forth above.
- 11.4 No owner, plumber, or another person shall be permitted to construct water pipes into any two distinct premises or tenements unless separate and distinct stop cocks shall be placed on the outside of such premises along the sidewalk opposite the same, nor shall any pipe be allowed to cross lots or buildings to adjoining premises.
- 11.5 The right is reserved to the Village to suspend the use of lawn fountains and hoses for sprinkling lawns and gardens, whenever in the opinion of the President and Board of Trustees public exigencies require it.
- 11.6 That for the design, installation, construction, and maintenance of plumbing systems to be used on the outside of building and structures within the Village, no plastic material or pipe may be used for any external water line, except that the Village can install plastic water mains of a minimum class No. 220 PVC.

11.7 No person not duly authorized shall turn the water on at any fire hydrant or service cock, or use water therefrom when so turned on and the persons so using or wasting water in such unlawful manner shall be liable to pay for the same.

11.8 When a property owner extends water mains, the water mains must be extended to the far property line, unless waived by the recommendation of the Village Engineer, and approved by the Village Board of Trustees. The property owners must submit plans and specifications, prepared by a registered engineer to the Village Engineer for review prior to approval by the Village Board of Trustees.

Section 12 Non-Liability of Village. All connections and water applied for hereunder, and all the water used hereunder, shall be upon the express condition that the Village shall not be liable, nor shall any claim be made against it for damages or injury caused by reasons of the breaking of any main, branches, service pipe, apparatus or appurtenances connected with the system or plant, any part or portion of the plant, or any interruption of the supply by reason of the breakage of machinery, or by reason of stoppage, alterations, extensions or renewals.

Section 13 Groundwater as Potable Water Supply Prohibited. The use or attempt to use a potable water supply from groundwater within the corporate limits of the Village of Carbon Cliff by the installation of new wells is prohibited in the area identified on the attached Exhibit "A" and accompanying description, prohibited in the areas identified on the attached Exhibit "A-1" and accompanying description and prohibited in the areas identified on the attached Exhibit "B" and accompanying description, including points of withdrawal by the Village of Carbon Cliff.

Section 14 Cross-Connections.

14.1 Definitions. For the purpose of this section, the following definitions shall apply:

Backflow shall mean water of questionable quality, wastes, or other contaminants entering a public water supply system due to a reversal of flow.

Cross-Connection shall mean a connection or arrangement of piping or appurtenance in which a backflow could occur.

Safe Air Gap shall mean the minimum distance of a water inlet or opening above the maximum high-water level or overflow rim in a fixture, device, or container to which public water is furnished which shall be at least two times the inside diameter of the water inlet pipe, but shall not be less than one inch and need not be more than 12 inches.

Secondary Water Supply shall mean a water supply system maintained in addition to a public water supply, including but not limited to water systems from the ground or surface sources or water from a public water supply that in any way has been treated, processed, or exposed to any possible contaminant or stored in other than an approved storage facility.

Submerged Inlet shall mean a water pipe or extension from a public water supply terminating in a tank, vessel, fixture, or appliance which may contain water of questionable quality, waste, or other contaminants and which is unprotected against backflow.

Water Utility shall mean the Village of Carbon Cliff water department.

- 14.2 Compliance with Existing Laws. A connection with a public water supply system shall comply with the existing laws and rules, the provisions of the ordinances of the Village, and the Illinois State Plumbing Code.
- 14.3 Cross-Connections Prohibited. Cross-connection of the public water supply system and any other water supply system or source including but not limited to the following are prohibited:
- A. Between a public water supply system and a secondary water supply.
 - B. By submerged inlet.
 - C. Between a lawn sprinkling system and the public water supply system.
 - D. Between a public water supply system and piping which may contain sanitary waste or a chemical contaminant.
 - E. Between a public water supply system and piping immersed in a tank or vessel which may contain a contaminant.
- 14.4 Local Cross-Connection Control Program. The Village shall develop a comprehensive control program for the elimination and prevention of all cross-connections, removal of all existing cross-connections, and prevention of all future cross-connections.
- 14.5 Corrections and Protective Devices. Any user of Carbon Cliff water shall obtain written approval from the public works department of any proposed corrective action or protective device before using or installing it. The total time allowed for the completion of the necessary corrections shall be contingent upon the degree of hazard involved and include the time required to obtain and install the equipment. If the cross-connection has not been removed within the time specified, the Village shall physically separate the Carbon Cliff water supply from the on-site piping system in such a manner that the two systems cannot be connected by any unauthorized person.
- 14.6 Piping Identification. When a secondary water source is used in addition to the Carbon Cliff supply, exposed Carbon Cliff water and secondary water piping shall be identified by distinguishing colors or tags and so maintained that each pipe may be traced readily in its entirety, it will be necessary to protect the Carbon Cliff water supply at the service connection in a manner acceptable to the public works department.
- 14.7 Private Water Storage Tanks. A private water storage tank supplied by the Carbon Cliff water supply system shall be deemed a secondary water supply unless it is designed and approved for potable water storage.
- 14.8 Elimination of Existing Cross-Connections. Within one year from the effective date of this section (6-7-84), all existing cross-connections to the Carbon Cliff water supply system shall

be eliminated. The expense of such elimination shall be that of the owner of the property on which such cross-connection exists.

- 14.9 Inspection. The public works department of the Village or any representative shall have the authority to inspect any premises to determine the presence of an existing cross-connection and to order the elimination of such cross-connection.
- 14.10 Discontinuance of Water Service. The public works department is authorized to discontinue water service after reasonable notice to any person owning any property where a cross-connection in violation of this section exists. The public works department may take such other precautionary measures as necessary to eliminate any danger of the contamination of the Carbon Cliff water supply system. Water service to such property shall not be restored until such cross-connection has been eliminated.