

ORDINANCE NO. 782

ORDINANCE AMENDING TITLE 7 PUBLIC WAYS AND PROPERTY,  
CHAPTER 6 ENTITLED WATERWORKS REGULATIONS  
FOR THE VILLAGE OF ERIE

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE  
VILLAGE OF ERIE, WHITESIDE COUNTY, ILLINOIS, as follows:

SECTION ONE: Title 7 entitled Public Ways and Property, Chapter 6 entitled  
Waterworks Regulations, is hereby repealed in its entirety and shall hereinafter state in its  
entirety as follows:

**7-6-1: Contract With Consumer**

**7-6-2: Application For Connection Permit**

**7-6-3: Water Connection Fee**

**7-6-4: Size and Location of Taps**

**7-6-5: Pipes To Supply Several Users**

**7-6-6: Claims Against Village**

**7-6-7: Service Disconnected On Request Of Occupant Or Owner**

**7-6-8: Inspection**

**7-6-9: Right Of Access**

**7-6-10: Service Pipes Kept In Repair**

**7-6-11: Hydrants**

**7-6-12: Water Meters**

**7-6-13: Specifications**

**7-6-1: CONTRACT WITH CONSUMER:**

These rules, regulations and rates, together with such others as may hereafter be adopted, shall be a part of the contract between the village and every consumer of water for the water system of the village, and in making application for water, every consumer consents and agrees to be bound thereby. Whenever any rule or regulation is violated, including, but not limited to, failure of the consumer to pay the applicable rates charged for the use of and for the service supplied by the combined waterworks and sewerage system of the village, the water shall be shut off from the building or place of such violation, and shall not be turned on again except by order of the public works director and on payment of the penalty according to the schedule set forth in this section, plus the full cost to the village incurred by the village in turning on again the water, and such other terms as the public works director may determine, and a satisfactory understanding

with the party or parties that no future cause of complaint shall arise, and in case of such violation, the public works director shall have the right to declare any payment made for water by the person guilty of such violation, forfeited and the same shall thereupon be forfeited. The schedule for the penalty referred to in this section shall be as follows: (Ord. 521, 4-11-2000, eff. retroactive to 1-1-2000)

<b>Number Of Disconnections</b>	<b>Penalty Amount</b>
First shutoff for failure to pay applicable rates charged for water or sewer service	In an amount as set forth in the schedule of fees maintained on file and available for public inspection at the office of the village clerk
Second shutoff for failure to pay applicable rates charged for water or sewer service	In an amount as set forth in the schedule of fees maintained on file and available for public inspection at the office of the village clerk
Third shutoff for failure to pay applicable rates charged for water or sewer service	In an amount as set forth in the schedule of fees maintained on file and available for public inspection at the office of the village clerk
Fourth shutoff for failure to pay applicable rates charged for water or sewer service	In an amount as set forth in the schedule of fees maintained on file and available for public inspection at the office of the village clerk
All subsequent shutoffs for failure to pay applicable rates charged for water or sewer service	In an amount as set forth in the schedule of fees maintained on file and available for public inspection at the office of the village clerk

The number of disconnections set forth in the above schedule shall only include disconnections that occur after the effective date hereof. No disconnections occurring prior to the effective date hereof shall be considered in determining the penalty based upon the above schedule. All determinations by the board of trustees as to the number of disconnections that have occurred for a consumer shall be final. "Consumers" shall mean an individual that has applied for the water or sewer service and shall include their lawful spouse at the time of the application whether or not the application is jointly made by the husband and wife. (Ord. 548, 4-9-2002)

#### **7-6-2: APPLICATION FOR CONNECTION PERMIT:**

Parties desiring to have water from the village waterworks must make application for such purpose at the office of the village clerk. If no valid objection exists, the village clerk shall then issue to a state licensed plumber as may be selected by the applicant a permit authorizing the plumber to do the work. A special permit must be issued for each service connection and each building, residence, business place, living unit, commercial unit, or other similar structures, also for each branch connection when more than one connection is made from one service pipe. Upon receipt by the village clerk of said application together with the appropriate fee, as set forth hereinafter, the village clerk shall thereupon notify the public works director that the public works director may turn on the service. (Ord. 353, 5-18-1982)

#### **7-6-3: WATER CONNECTION FEE:**

Each person making application for permit to connect to the water system of the village shall pay to the village clerk, at the time of making such application, a water connection fee in the amount as set forth in the schedule of fees maintained on file and available for public inspection at the office of the village clerk. The said fee shall be in addition to, and not as a part of, a further charge to the applicant for the full cost of a water meter, which meter shall be procured by the village according to its sole specifications, and which forever shall remain the property of the village. All water connections to be installed under any village street, road, highway, or alley, shall be pushed underneath said street, road, highway, or alley without damaging the surface of the street, road, highway, or alley. Any excavation required in order to accomplish the connection of the water service shall not be made on the surface of the street and shall be according to the permit as required in this code. All exceptions to the prohibition of excavating the surface of any street shall be approved by the board of trustees by a majority vote. Each person making application shall be charged the full cost of a water meter. In addition to, and not as a part of, the aforesaid fee and meter costs, the applicant shall also pay all costs of installation howsoever incurred from the public water main to the private property line, including, but not limited to, any street repair. The village, in its sole discretion, may waive the aforesaid fee if the village street abutting the private premises does not have a seal coat. All fees, charges and costs are due and payable in full before any service is commenced. (Ord. 416, 4-10-1990)

#### **7-6-4: SIZE AND LOCATION OF TAPS:**

Taps of water mains for service connections shall not exceed the size and spacing as recommended by the manufacturer of the water main. In cases where larger taps would be required, a tee will be installed in the water main.

#### **7-6-5: PIPES TO SUPPLY SEVERAL USERS:**

One service pipe may be made to supply all parties taking water on either side of service pipe, in which case each branch must have a service cock. When service pipes are intended to supply two (2) or more premises, and when only one service cock is used, the person or persons controlling the same must pay the water bill of all parties thus supplied as separate water bills will not be made. (Ord. 56, 8-2-1921)

#### **7-6-6: CLAIMS AGAINST VILLAGE:**

No claim shall be made against the village by reason of the breaking of any main or service pipe or cock or of any other interruption of the supply by reason of breakage of machinery or stoppage for necessary repairs. (Ord. 56, 8-2-1921)

**7-6-7: SERVICE DISCONNECTED ON REQUEST OF OCCUPANT OR OWNER:**

Upon the written request by the occupant or owner of a "building" (as defined in the zoning code) to the village clerk, the water service to the building shall be discontinued. A bill will be rendered for the water used during the quarter in which the service is discontinued at regular rates, the full minimum charge for the quarter applying. In the event water service has been disconnected as provided in this section or as otherwise provided for any reason, water service shall not be reconnected until the owner or occupant has fully complied with all applicable ordinances and rules and regulations adopted by the board and a written application has been made to the village clerk for reconnection and the reconnection application has been approved. The owner or occupant shall pay a reconnection fee in an amount as set forth in the schedule of fees maintained on file and available for public inspection at the office of the village clerk for reconnecting water service. The reconnection fee shall be paid to the village prior to the approval of the application for reconnection. Reconnection of the water service shall be completed by the public works department during its normal business hours and normal working days as reasonably may be scheduled by the public works department dependent upon its normal work schedule and within two (2) business days of such approval, except in the event of a bona fide emergency as determined by the public works director. During the period of any disconnection of water service, the monthly charge for solid waste disposal under title 6, chapter 6 of this code shall continue to be assessed against the occupant or owner of the building and shall continue to be the responsibility of the owner or occupant unless the water service is disconnected due to a demolition of the building for which the service is provided. (Ord. 636, 9-8-2009)

**7-6-8: INSPECTION:**

Each and every part of the water line shall be inspected and approved by the public works director before being concealed or backfilled. Plumbers are strictly prohibited from allowing the water into any service pipe except on the order or permission of the public works director. This rule shall not be construed to prevent any plumber admitting the water to test pipes and for that purpose only. The water will not be allowed to enter into any service pipe, except on the order of the public works director after inspection, and after payment of all fees, charges and costs, as aforesaid. (Ord. 342, 3-25-1980)

**7-6-9: RIGHT OF ACCESS:**

The public works director and such other person as may be directed by the public works director, shall be authorized to enter and have free access at all reasonable hours, to premises, to ascertain the location and condition of all pipes and fixtures connected with the waterworks, and in case he/she finds that water is wasted on account of negligence, or for want of repairs, and if such waste is not immediately remedied, the service leading to such premises shall immediately be shut off. It shall be the duty of said officer, in case he/she discovers any defect in a private pipe beyond the service cock, to give notice in writing, to be left at the premises, and if necessary repairs are not made within twenty four (24) hours thereafter the water shall be shut off and shall not be turned on again until said repairs are made and approved and the fee has been paid to the

village in an amount as set forth in the schedule of fees maintained on file and available for public inspection at the office of the village clerk. (Ord. 56, 8-2-1921; amd. 1976 Code)

#### **7-6-10: SERVICE PIPES KEPT IN REPAIR:**

The village will keep and maintain the service pipe and fixtures from the main to and including the curb cock and curb box and also all water meters owned by the village. The consumer shall furnish a suitable place on his/her premises for the installation of the water meter and shall protect the same from freezing and all damage other than through ordinary wear and tear. The property owner will be charged with any damage to the water meter whether by freezing, accidental breakage or otherwise while the same is upon his/her premises, excepting for such injury or damage as may be done to said meter by employees of the village. The place for the installation of said water meter shall be such as to permit convenient access to said meter for the purpose of inspecting, repairing and reading the same. (Ord. 147, 11-4-1954)

#### **7-6-11: HYDRANTS:**

(A) No person except the public works director or some other person designated by him/her shall take water from any public or private hydrant, fireplug or other fixture connecting with the water mains, except for fire purposes or for the use of a fire department in cases of fire, nor in any way take or use water for private use unless such person shall first make application to the public works director and comply with the rules set forth by this chapter.

(B) All hydrants constructed by the village for the purpose of extinguishing fires in the village are hereby declared to be public hydrants, and no person other than members of the fire department in the village for the purpose of extinguishing fires, and those especially authorized by the public works director shall open any of said hydrants, or attempt to draw water from the same, or in any manner interfere with or injure said hydrants.

(C) It shall be unlawful for any person to willfully or carelessly break or injure any of the public hydrants. (Ord. 56, 8-2-1921)

#### **7-6-12: WATER METERS:**

The village will procure a water meter(s) according to specifications which the village in its sole discretion deems appropriate. The village shall own all water meters. All meters presently in service on the property of a consumer may be transferred and assigned to the village. A request that the village repair a meter shall be considered a transfer and assignment of the title thereto to the village. The village will repair and maintain all meters owned by it at its own expense, except for damage on the premises of the consumer arising out of freezing or something other than ordinary wear and tear in which cases the expense of necessary repairs arising out of such accidental damage will be charged to the consumer. (Ord. 342, 3-25-1980)

#### **7-6-13: SPECIFICATIONS:**

All water pipes shall be three-fourths inch SDR9CTS ASTMD2737 from the main public water to any dwelling. (Ord. 342, 3-25-1980)

SECTION TWO: This ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED by the President and Board of Trustees of the Village of Erie, Whiteside County, Illinois, on the 13<sup>th</sup> day of December, 2022, and deposited and filed in the office of the Village Clerk in said Village on that date pursuant to roll call vote as follows:

Elected Trustees - 6

AYES: 6

NAYES: 0

ABSENT: 0

Gail Prossley  
Village Clerk of the Village of Erie, Illinois

Approved by the President of the Village of Erie, this 13<sup>th</sup> day of December 2022

Marnie Smith  
President of the Village of Erie, Illinois

ATTEST:

Gail Prossley  
Village Clerk of the Village of Erie, Illinois

Published in pamphlet form this 13<sup>th</sup> day of December, 2022.