

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

ARTICLE NINE	WATER	
Chapter One	Definitions.....	9-1
Chapter Two	Intent and Purpose	9-2
Chapter Three	Water Service Connections	9-3
Section 1	Application for Service.....	9-3
Section 2	Application and Connection Fees.....	9-4
Section 3	Connection to the Water Main	9-5
Chapter Four	Connection Inside and Outside Village Limits	9-6
Section 1	Connections Inside Village Limits.....	9-6
Section 2	Connections Outside Village Limits	9-7
Chapter Five	Disconnection of Water Service Lines and Demolitions	9-7
Chapter Six	Water Meters.....	9-8
Chapter Seven	Protection of Water Department Property.....	9-9
Chapter Eight	Access to Premises	9-10
Chapter Nine	Discontinuing of Service for Repairs	9-11
Chapter Ten	Notice to Plumbers and Excavators	9-11
Chapter Eleven	Water Main Extensions and Subdivisions.....	9-12
Chapter Twelve	Replacing or Repairing Water Service Lines	9-12
Section 1	Leak or Break.....	9-12
Section 2	Costs	9-13
Chapter Thirteen	Street Improvements	9-14
Chapter Fourteen	Fire Hydrants.....	9-14
Chapter Fifteen	Cross-Connections.....	9-15
Chapter Sixteen	Private Wells	9-18
Chapter Seventeen	Water Department Employees	9-18

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

Chapter Eighteen	Sprinkling Lawns or Water Bans	9-19
Chapter Nineteen	Water Service Rates	9-21
Chapter Twenty	Billing.....	9-22
Section 1	Billing Procedure	9-22
Section 2	Delinquency Procedure	9-22
Section 3	Person Responsible for Payment	9-23
Section 4	Lien Notice of Delinquency.....	9-23
Section 5	Revenues and Accounts.....	9-25
Chapter Twenty-One	Customer Billing and/or Violation Appeals Procedure ..	9-25
Chapter Twenty-Two	Termination of the Water Services.....	9-28
Section 1	Requested Turn Off/On or Disconnect/Re-Connect	9-28
Section 2	Termination Due to Delinquency or Violation	9-28
Section 3	Limitations on Termination of Water Service	9-29
Section 4	Reinstatement of Water Services	9-30

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

ARTICLE NINE WATER (revised Ord. 98-10-3)

Chapter One Definitions

- A. The following rules and regulations specified in this Article shall be established by the Village of Pecatonica. Such rules and regulations shall be for controlling the use of water to the respective water users of the Village of Pecatonica now and in the future.

- B. Unless the context specifically indicates otherwise, the meaning of terms used in this Article shall be as defined in the Sewers and Drains, ARTICLE TEN.

- C. Water Department: where used herein, means the water department of the Village of Pecatonica, Illinois.

- D. Owner: where used herein, means the actual owner of the property to be supplied with water service.

- E. Existing Service: where used herein, means those properties already connected to the Village Water Main.

- F. New Service: where used herein, means those properties not connected to the Village Water Main.

- G. Labor or cost thereof: shall herein mean in accordance with the prevailing wage for labor.

- H. SSCM: where used herein, shall mean the Village of Pecatonica Standard Specifications and Construction Manual for Water and Sanitary, which can be changed by Board motion at any time.

- I. Superintendent: where used herein, shall mean the Superintendent or Director of Public Works of the Village of Pecatonica or an authorized agent or representative.

- J. Clerk: where used herein, shall mean the Village Clerk of Pecatonica or her authorized agent.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

Chapter Two Intent and Purpose

- A. The Village of Pecatonica finds and declares that the provisions of this Article are enacted for the following reasons:
 - 1. To ensure timely and complete payment of all water charges arising from water service supply to customers.
 - 2. To regulate termination of water services to customers for nonpayment of water charges.
 - 3. To provide full and adequate notice to customers of a termination of water service to that customer and of the procedure to follow to avoid termination.
 - 4. To provide customers with the fair and reasonable opportunity, prior to termination, to dispute the correctness of water charges.
 - 5. To standardize the notice of termination and other notices sent to customers.
 - 6. To regulate termination of water services to rental property for nonpayment of water charges.

- B. Scope: The provisions of this Article shall apply to water services supplied to customers.

- C. Water Bills: A water bill shall be mailed to every water customer as outlined in this Article. Each water bill shall contain the following:
 - 1. The time period of water service covered by the water bill.
 - 2. The water charge and/or other applicable fees.
 - 3. The date of the water bill.
 - 4. The date when complete payment is due.
 - 5. The telephone number to call in order to dispute the water charges, or request answers to any other questions regarding water service.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

- D. Computation of Time: for purposes of this Article the following procedure shall be used in computing time periods:
1. In computing any period of time prescribed by this Article, the day of the act or event from which the designated period of time begins to run shall not be included.
 2. The last day of the period so computed shall be included, until the next day which is not a Saturday, Sunday or a legal holiday.
 3. When the period of time prescribed is less than seven (7) days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation.

Chapter Three Water Service Connections

Section 1 Application for Service

- A. Any consumer desiring water service shall make application with the Clerk's Office at the Village Hall, using the forms provided.
- B. A Water Service Connection Form Application is required for new service connections and a water service connection permit is valid for one (1) year.
1. The water connection permit time frame may be extended for a period not exceeding six (6) months with an additional twenty-five percent (25%) fee based on the current Water Service Connection Fee.
- C. The Water Service Connection Permit will only be issued upon review and approval of the application by the Water Department and/or the Mayor and, if applicable, a valid Building Permit has been issued.
- D. The Water Service Connection Form must be completed and submitted with full payment of the Application Fee and Service Connection Fee as outlined in Section 2.
- E. Applicants requesting a Water Service Connection are required to pay for a water meter supplied by the Village at the current price and have such meter installed according to the SSCM, at the applicants expense for labor and materials and said meter shall remain the Water Department property.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

Section 2 Application Fees, Meter Deposits and Connection Fees

A. Application Fees and Meter Deposits

1. All applicants requesting water service shall be required to pay a non-refundable application fee of One Hundred and Fifty Dollars (\$150.00) and complete an application form prior to receiving water service. (Revised: Ord. 2007-11-5)

2. If a Water Customer sells his or her property and the Village collected and is holding a Meter Deposit in this Customers Name for said property and the Customer requests such Meter Deposit be refunded to them, then the Meter Deposit shall be returned upon payment of the final water bill, including but not limited to any interest, late charges, penalties, turn-on fees, or other amounts owed the Village. (Ord. 2000-12-2)
 - a. The Village may in its discretion set off said Meter Deposit against any amounts owed, including but not limited to any late charges, penalties, turn-on fees, turn-off fees or any other amounts due the Village.

B. Connection Fees

1. Anyone making application for a new water service connection to the water main will pay a Water Service Connection Fee according to the current zoning as defined by the Zoning Map or the Village Board.
 - a. Zoned Residential: \$1000.00
 - b. Zoned Commercial: \$1000.00
 - c. Zoned Industrial: \$2500.00
 - d. Significant Industrial user charge to be determined by the Village Board.

2. Any connections to said main larger than the standard one inch (1") line will require an additional fee including but not limited to, the cost of labor and materials as specified and approved by the Water Department.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

Section 3 Connection to the Water Main

- A. All installations or replacements of water lines shall be required to follow the SSCM.
- B. The party or parties making connection to the water system shall be responsible for all expenses incurred to the installing or replacing of said services, including but not limited to, the cost of labor and materials.
- C. All service lines, either between the main and the cut off or between the cut off and water meter, shall require an on sight inspection by the Superintendent.
 - 1. At least a twenty-four (24) hour notice shall be given to the Water Department for inspections of the water service connection.
 - 2. Inspections will be done during normal business hours of the Water Department.
 - 3. Failure to comply with the inspection procedure shall be subject to the penalties provided herein, including but not limited to, a fine not to exceed two hundred and fifty dollars (\$250.00) and must be paid in full or water service will be shut off.
- D. Any customer requiring a re-connection of existing or replacement of a service line to the water main system shall be responsible for all expenses, including but not limited to, the costs of materials, labor and inspection fees.
 - 1. Exception: if the re-connection was because of leaks or repairs at the main or because of the Village's water main replacement program, then the Village shall bear the expense.
- E. The Water Service Connection is to be regulated by the Water Department.
- F. Multi-family and Duplex Units
 - 1. Any existing duplex units may be serviced by a single service line/meter of appropriate size or may be serviced with multiple one inch (1") size lines/meters for each distinct unit.
 - 2. Any new construction will follow the BOCA codes for the water service connection.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

Chapter Four Connection Inside and Outside Village Limits

Section 1 Connections Inside Village Limits

- A. No connection shall be made to the Village Water System unless it is located within the corporate limits of the Village.

- B. Exceptions: The Village Board may, in its discretion, allow connection to the Village Water System by a customer located outside the corporate limits of the Village under the following conditions:
 - 1. The owner of the property to be connected to the system is unable to annex to the Village because the property is not contiguous to the Village.

 - 2. The owner of the property agrees to petition for annexation to the Village within thirty (30) days of the property becoming contiguous to the Village and must do so according to the Municipal Code of Illinois.
 - a. If the owner fails to timely submit said petition, each owner at the time of extension of the water service and all subsequent owners irrevocably designate the Village President to execute said petition for annexation.

 - 3. Annexation to the Village can be anticipated in the foreseeable future.

 - 4. The Village derives and will continue to derive a significant benefit from the user, (as determined solely by the Village Board) or there is a potential economic benefit from the user that the Village will derive (as determined solely by the Village Board).
 - a. The economic benefit derived by the Village shall exceed the cost, if any incurred by the Village for the extension of such water service.

- C. The owner with the Village Board approval shall pay the cost of extending water service from the existing water mains to the extremities of the property for easy access by future extensions, including but not limited to, all engineering fees, materials, labor, and installation costs.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

1. The Village may, in its discretion, contribute to the cost of extending the water main if the Village requires the owner to install a water main of larger than the standard size as defined elsewhere in the Village Code.

Section 2 Connections Outside Village Limits

- A. All persons making connection to any main which property is outside of the Village limits shall pay double the connection fee, and shall adhere to the same requirements as if inside the Village limits.
- B. The property owner shall sign a written agreement that the owner will annex his property to the Village when and if said property shall become contiguous to said Village; said agreement shall be recorded in the Office of the Recorder of Winnebago County.
 1. The owner shall follow the same annexation procedure as outlined in Section 1 of this Chapter.

Chapter Five Disconnection of Water Service Lines and Demolitions

- A. All demolitions of properties where water service lines are present shall be inspected by the Superintendent for proof that existing water service lines have been removed and properly capped off.
 1. Any costs, including but not limited to, labor, materials and inspection fees shall be paid by the owner.
- B. Disconnection of service lines at the water main shall be required on all existing services where the property is being demolished and where no buildings are going to be replaced.
 1. Any costs, including but not limited to, labor, materials and inspection fees shall be paid by the owner.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

Chapter Six Water Meters

- A. All water service connections shall be required to have a water meter to register water usage.
- B. Water meters can only be purchased from the Village of Pecatonica and must be installed according to the SSCM.
 - 1. Cost of said meter will be based on the actual purchase price supplied to the Village.
 - 2. The owner shall be responsible for all expenses incurred for installation or future repair or replacement of said meter, including but not limited to, the cost of building materials, repairs, or re-plumbing necessary or desirable to accommodate the water meter.
- C. For all dwellings having more than one tenant and only one meter, the meter shall be registered in the Owner's name.
- D. No building shall have water available until the owner has a meter installed and the Water Department has programmed such meter.
- E. If the water meter or reading device should become damaged for any reason, the owner shall be responsible for the cost of repairs or replacement thereof, including but not limited to, labor and material costs.
- F. Testing of meter:
 - 1. In the event that the water customer desires to have the meter tested for correct operation, the Water Department will remove said meter and seal it in the customer's presence.
 - 2. If the meter test indicates that the meter is not working correctly, as defined by the Water Department, then the meter will be replaced or repaired at no charge to the owner and the testing fee will be waived.
 - 3. If the meter test indicates that the meter is working correctly, as defined by the Water Department, then the meter will be replaced in the premises and the actual charge, including but not limited to, the charge for testing and any labor or materials expended by the Water Department for such testing, will be the responsibility of the owner.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

- G. Failure of meter:
1. When the meter fails to register, the charge for water used during the period of non-registration will be determined from the average water usage of the previous twelve months.
 2. When such average is obviously unfair to either the customer or the Village, then an average will be agreed upon by both parties.
 3. If both parties cannot agree, all the facts will be submitted to the Village Board and their decision will be final.
- H. Use of water or of property of the Water Department contrary to the provisions herein, or the tampering with water meter devices, shall be illegal, subject to the penalties provided herein, including but not limited to, an initial find not to exceed five hundred dollars (\$500.00), per code provision violation and per hookup plus additional fines, not to exceed twenty-five dollars (\$25.00) per calendar day thereafter, until such time that any and all fines have been paid and the violation has been satisfactorily corrected. In addition, an order to cease all construction at the property in violation may be issued and shall remain in effect until any and all fines have been paid and the violation has been satisfactorily corrected. Furthermore, any unpaid fines may cause a lien to be filed by the Village of Pecatonica against the property in violation. (Ord. 2004-4-4, 2004-11-1)
- I. In the event that the interior water meter and the outside reading device (remote reader) do not have the same readings, then the inside meter reading shall be the official reading for purposes of determining water usage and appropriate charges.
- J. In the event that the Water Department personnel cannot read the meter device due to inaccessibility, failure, or accuracy of said water meter equipment, in order to determine water usage the bill shall be estimated based on the average water usage of the previous twelve months.

Chapter Seven Protection of Water Department Property

- A. All devices installed on the customer's premises for the purpose of facilitating the metering of water shall become the property of the owner, excluding the meter and the ert, which shall be owned by the Village of Pecatonica but protected and cared for by the owner. (Ord. 2000-12-3)

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

- B. The owner shall protect and be responsible for such property in the case of loss or damages.
- C. Only authorized agents of the Water Department will be permitted to remove or replace such property unless stated differently elsewhere in this Article or approved otherwise.
 - 1. Removal of such property by parties other than those authorized to do so shall be subject to the penalties provided herein, including but not limited to, a fine not to exceed five hundred dollars (\$500.00).
- D. The owner or customer shall maintain free access to all Water Department property. Failure to provide free access shall be cause for termination of service. (Revised: Ord. 2007-11-5)
- E. The owner or customer shall not store or construct any obstacles which will interfere with the reading, repairing or removal of the water meter.
- F. The owner shall keep his curb box and curb stop free from obstruction so that the water can be turned on or off whenever necessary without delay.
- J. Any person, firm or corporation, whosoever may be working in any street or streets of the Village, who may disturb or in any way damage the Village water mains, appurtenances, or thereto, shall be responsible to the Water Department of the Village, for any and all such damages, and shall bear all expenses of labor and material of such replacement or repair made necessary thereby, and they shall also be responsible for damage to surrounding properties, on account of said damage to water mains.

Chapter Eight Access to Premises

- A. Authorized agents of the Water Department shall at all reasonable hours have access to the premises for the purpose of inspecting, reading, repairing, testing or removing any and all Water Department property. Failure to provide such access shall be cause for termination of service. (revised: Ord. 2007-11-5)
- B. All authorized agents of the Water Department can and shall present an identification card if asked to do so.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

Chapter Nine Discontinuing of Service for Repairs

- A. When it is necessary for the Water Department to interrupt water service for the purpose of repairing or extending the water main, it will endeavor to give notice of interruption and to shut off the water at a time when it will cause the least inconvenience to the customer.
- B. In case of a main break or pumping equipment failure requiring an immediate shut down or interruption of service, the Water Department shall not bear the responsibility of prior notice to its customers.
- C. All boilers or tanks on the customer's premises that are connected directly with the service line shall be required to have installed a check valve that adequately prevents its collapse or prevents damage in case the water is suddenly shut off.
- D. Only persons authorized by the Water Department shall turn on or off water valves or curb cocks.
- E. The Village shall not bear the responsibility for damages or loss due to interruption of water service.

Chapter Ten Notice to Plumbers and Excavators

- A. All plumbers, contractors, and other persons shall contact and shall get written permission from the Superintendent prior to performing any excavating, tapping, repairing, changing or any other disturbances to the water mains or service lines.
- B. The Superintendent will use his or her best efforts to locate and mark any underground water mains or services.
- C. The plumber or contractor shall take every precaution to prevent damage to the water main or service line.
 - 1. If any damages do occur, the plumber or person that caused the damage and the owner who hired such person shall be jointly and severally liable and shall pay the cost, including but not limited to, repairs and liabilities resulting from such damages.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

- D. All water connections shall follow the SSCM.

Chapter Eleven Water Main Extensions and Subdivisions

- A. All sub-dividers/developers shall follow all the procedures and specifications as outlined in the SSCM provided by the Superintendent.
- B. The entire water system shall be installed by and paid for by the subdivider/developer.
- C. In such cases where the subdivider/developer is required to provide a larger diameter main for future expansion and said subdivider/developer believes he is entitled to additional reimbursement, he shall appear before the Village Board.
 - 1. The reimbursement is to be made based on the difference between the cost of an eight inch (8") minimum size extension pipe which the Village Board may require to be installed and the cost of a larger pipe which the Village may require for future expansion.
 - 2. If the increased size water main is required for the purposes of fire flow then the difference in the cost of the pipe does not apply for reimbursement by the Village.
 - 3. The Village Board will study the facts of the case and may or may not give additional reimbursement.
- D. The installation of the water main shall be inspected and the entire installation shall be approved by the Water Department and the Consulting Engineer in writing prior to final acceptance of the subdivision by the Village.
 - 1. Such costs for inspection shall be the responsibility of the subdivider/developer.

Chapter Twelve Replacing or Repairing Water Service Lines

Section 1 Leak or Break

- A. When a leak or break has been discovered in a water service line between

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

the curb stop, to and including the premises, the property owner is responsible for repair or replacement, including but not limited to, all the expenses of labor and material of such repair or replacement.

- B. If the property owner has not taken action within twenty-four (24) hours after the owner has been notified, the Water Department shall turn off or disconnect the service or shall cause the service to be disconnected with all labor and material to be paid for by the owner and shall notify the Clerk of such.
- C. The Water Department shall be authorized to undertake said turn off or disconnection by using Water Department employees or by employing an independent contractor to perform such service.
- D. The Water Department has the right to shut off any service with a leak or break at any time that said leak or break, is in the opinion of the Water Department, causing or could cause serious damage to the street or property.
- E. The water service disconnection or reconnection shall be inspected by the Water Department and shall be in accordance with this Article and other rules and regulations of the Water Department.

Section 2 Costs

- A. The property owner shall be responsible for and shall pay all costs incurred by the Water Department or agents in disconnecting said service line.
- B. The property owner may select and pay for a plumber of his choice to replace the water service or it will be replaced by the Water Department at the owner's expense.
- C. If the Water Department employees turn off or disconnect said service or do the work to correct said service, all costs shall be calculated on labor and material based on the prevailing rate of wages established by Village Ordinance.
- D. If the Water Department employs an independent contractor to perform said service, the amount of the charges incurred by the Village shall be paid by the property owner.
- E. The property owner shall make payment in full or seek Village Board

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

approval for other arrangements, within twenty-one (21) days of mailing of a bill from the Village.

- F. If payment or terms/arrangements with the Village Board for time payments are not made within said twenty-one (21) days, the water service shall become delinquent and result in being turned off or disconnected until the bill is paid along with late fees and a twenty-five dollar (\$25.00) turn off fee and a twenty-five dollar (\$25.00) turn on fee.

Chapter Thirteen Street Improvements

- A. Prior to any street improvements program where the street is improved with either a Portland cement concrete surface or a bituminous surface, all water services which are not type K soft copper shall be replaced at the owner's expense for labor and materials.
- B. Water services shall also be extended to vacant lots containing fifty feet (50') or more frontage at the owner's expense for labor and materials.

Chapter Fourteen Fire Hydrants

- A. Fire hydrants are for the use of the Pecatonica Fire Protection District for the purpose of extinguishing fires.
- B. No persons other than members of said Fire District and persons authorized by the Water Department shall open or attempt to draw water from any fire hydrant.
- D. Fire hydrant locations and installations shall follow the SSCM as provided by the Water Department.
- E. Flushing of hydrants will be performed by the Water Department on a timely schedule and the Village shall not bear the expense of any loss or damage due to such flushing.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

Chapter Fifteen Cross-Connections

- A. Definitions. For purposes of this Chapter, the following definitions shall apply:

BACKFLOW: The reversal of flow from that normally intended. The flow of water or other liquids, mixtures, or substances into the distributing pipe of a potable supply of water from any source or sources other than its intended source.

CROSS-CONNECTION: A connection or arrangement of piping or appurtenance through which a backflow could occur.

SAFE AIR GAP: The air gap in a water supply system that is the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank or plumbing fixture and the flood-level rim of the receptacle.

SECONDARY WATER SUPPLY: The water supply system maintained in addition to the public water supply system, including but not limited to, water systems from ground or surface resources, or water from a public water supply which in any way has been treated, processed or exposed to any possible contaminant or stored in other than an approved storage facility.

SUBMERGED INLET: A water pipe or extension thereto from a public water supply terminating in a tank, vessel, fixture or appliance which may contain water of questionable quality, waste or other contaminant and which is unprotected against backflow.

WATER UTILITY OR PUBLIC WATER SUPPLY SYSTEM: The water system maintained by the Village of Pecatonica by and through its Water Department.

- B. Compliance with Existing Laws. A connection with the public water supply system shall comply with the existing laws and rules of the Illinois State Plumbing Code, the provisions of the Code of the Village of Pecatonica, and the rules and regulations of the Illinois Environmental Protection Agency.
- C. Cross-Connections. Cross-connection of the public water supply system and any other water supply system or source, including but not limited to, the following is prohibited:

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

1. Between a public water supply system and a secondary water supply.
 2. Between a public water supply system and a submerged inlet.
 3. Between a public water supply system and a lawn sprinkling system.
 4. Between a public water supply system and piping immersed in a tank or vessel which may contain a contaminant.
- D. Local Cross-Connection Control Program. The Village shall develop a comprehensive control program for the elimination and prevention of all cross-connections and removal of all existing cross-connections and prevention of all future cross-connections.
- E. Corrections and Protective Devices.
1. Any user of the public water supply system shall obtain written approval from the Water Department of any proposed corrective action or protective device intended to eliminate or prevent a cross-connection before its use or installation.
 2. The time allowed for completion of the necessary corrective action required to eliminate cross-connections shall be dependent upon the degree of hazard involved and the time required to obtain and install the equipment.
 3. If the cross-connection has not been removed within the time as hereinafter specified, the Village shall physically separate the public water supply system from the on-site piping system in such a manner that the two (2) systems cannot be connected by persons other than employees of the Water Department.
- F. Piping Identification. When a secondary water source is used in addition to the public water supply system, the public water supply and the secondary water piping shall be identified by distinguishing colors or tags and so maintained that each pipe may be readily traced in its entirety to its origin in order to protect the public water supply at the service connection in a manner acceptable to the Water Department.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

- G. Private Water Storage Tanks. A private water storage tank supplied from the public water supply system shall be deemed a secondary water supply unless it is designed and approved for potable water usage.

- H. Elimination of Existing Cross-Connections:
 - 1. Within one year from the effective date of this Chapter, all existing cross-connections to the water supply system shall be eliminated.
 - 2. The expense of such elimination shall be that of the property owner on which such cross-connection exists.

- I. Inspection:
 - 1. The Water Department or any representative thereof shall have the authority to inspect any premises to determine the presence of any existing cross-connection and to order the elimination of such cross-connection.
 - 2. Any new plumbing system shall be inspected by the Water Department and also a licensed plumber certified by the State as a cross-connection control device inspector.

- J. Discontinuance of Water Service
 - 1. The Water Department is hereby authorized to discontinue water service after reasonable notice to any person owning any property where a cross-connection exists in violation of this Code.
 - 2. The Water Department may take such other measures as necessary to eliminate any danger of contamination of the public water supply system.
 - 3. Water service to such property shall not be restored until such cross-connection has been eliminated.

- K. Prohibition. No user of the Village water supply system shall cause or allow any cross-connection to exist on his premises.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

Chapter Sixteen Private Wells

- A. Private wells are not permitted within the Village without a permit from the Village Board, and no permit for a private well shall be granted in the event that the Village Water Supply is within 1000 feet of any property line of the applicant for a well permit.
- B. The owner shall be required to pay the total cost of labor and materials to extend the water main to the owner's property line.
 - 1. Such extension shall follow the SSCM.
- C. The Village may, in its discretion, contribute to the cost of extending the water main if the Village of Pecatonica requires the owner to install a water main of larger than the standard size as required by the Village.
- D. When a water main becomes available and the well is determined unfit by the Winnebago County Department of Health or an Illinois Licensed Sanitarian, then a water service line shall be connected to said water main within ninety (90) days and the private well must be properly abandoned in accordance with Village, County and State codes. The Water Department shall receive documentation from the property owner within said time period showing a properly abandoned well.
 - 1. The private well shall be determined unfit in the event that contamination is found.
 - 2. To determine contamination, a test will be required via a Winnebago County Department of Health or an Illinois Licensed Sanitarian.
 - 3. An annual test shall be required to prove fitness for any private well within the Village limits at the expense of the owner.

Chapter Seventeen Water Department Employees

- A. The management and supervision of the Water Department of the Village of Pecatonica and of any and all property pertaining thereto shall be vested in the Superintendent of the Public Works Department of said Village, hereinafter, known as the Superintendent.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

- B. The Superintendent shall:
1. Have the duty to protect the Water Department from unnecessary damage or loss and keep said Water Department in good running order and repair.
 2. Direct all work pertaining to the future extension of said Water Department and all repairs upon the same of every kind and nature.
 3. Have the duty to enforce all the provisions of this Article.
 4. Make monthly reports to the Public Works Committee or the Village Board, or more often if required, such reports shall be determined by the Committee.
 5. Keep an accurate map or profile of all the water mains now or hereinafter laid in said Village on file in his office with their dimensions, locations and connections, hydrants and service connections.
 6. Keep an accurate map showing easements.
 7. Perform such other duties as may be required by the Village Board.
- C. Identification: Inspectors, Foreman, Meter Readers, or any other employees or authorized agents of the Water Department whose duty it may be to enter upon private premises to make inspection and examination of water meters, pipes, fixtures, or appurtenances thereto, for any reason whatsoever in connection with the Village water supply, will be provided with an Identification Card, or other credentials to identify him, or them, as authorized agents and representatives of the Village Water Department.

Chapter Eighteen Sprinkling Lawns or Water Bans

- A. This section shall be enforced at the discretion of the Village Board, based on the extra dry weather conditions or if the running order of the water distribution system is in a state of emergency, as established by the Superintendent.
1. The Water Ban will be first published in one or more local

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

newspapers or given as a notice on a prior billing.

2. When such condition exists, the Village will be divided into two (2) areas, with the dividing line being Main Street running North and South through the Village.
- B. Sprinkling or watering of lawns, grass or parkways during a declared emergency or water ban announcement is lawful and permitted on the West side of the Village only on Monday, Wednesday and Friday.
 - C. Sprinkling or watering of lawns, grass or parkways during a declared emergency or water ban announcement is lawful and permitted on the East side of the Village only on Tuesday, Thursday and Saturday.
 - D. During the water ban announcement or emergency it is unlawful to sprinkle or water on Sunday or on any other day except as above designated.
 - E. It shall be unlawful for any person, corporation, or other entity to violate or fail to comply with any of the provisions of this Chapter, and any person who violates any provision of this Chapter shall be liable for a fine of twenty-five dollars (\$25.00), if paid within ten (10) days of the date of issuance of a citation or complaint, or fifty dollars (\$50.00) if paid after the ten (10) days from said issuance.
 - F. Any person, corporation, or other entity that violates or fails to comply with the provisions of this Chapter for a second offense shall be liable for said fines that are twice the amounts stated in subparagraph E, above.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

Chapter Nineteen Water Service Rates (revised Ord. 99-1-1, 2003-8-1)

- A. Operation, Maintenance and Debt Service costs estimated for the distribution system will be established for all customers equally, and shall be as follows:
 - 1. All water users shall pay the metered rate starting September 1, 2003 of two dollars and fifty-nine cents (\$2.59) for 0 gallons and after 0 gallons the rate of forty-nine cents (\$0.49) per one hundred (100) gallons of volume used.
 - 2. The minimum flat rate shall be twenty dollars (\$20.00) a month.
- B. Rates charged to accounts outside the corporate boundaries of the Village of Pecatonica shall be one hundred and fifty percent (150%) of the identical rates charged to accounts inside the corporate boundaries of the Village.
- C. Metered accounts that do not get true readings, and/or had their meter removed for repair, shall have their monthly bill estimated using the prior twelve months water usage as an average.
- D. The adequacy of the water rates for operating the system in a fiscally sound manner shall be reviewed periodically by the Village Board and may be revised to reflect changes in costs for operating the system, including but not limited to, operations, maintenance, debt service and capital improvements.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

Chapter Twenty Billing

Section 1 Billing Procedure

- A. All water bills shall be paid on or before the due date as noted on the water bill.
- B. Bills and notices will be mailed or delivered to the customer's last address as shown by the records of the Clerk, failure to receive a bill will not relieve the customer from his obligation to pay the bill.
- C. All bills for water service shall become delinquent after the twenty-fifth (25) of the month. (Ord. 2001-10-2)
- D. If payment of a bill is made by mail, the post office cancellation date shown by the sending post office will determine the date of payment.
- E. If payment of a bill is made by dropping it in the drop box at the Village Hall, then it will be posted for payment at the next business day that the Village Hall is open as noted upon the door. (Revised: Ord. 2008-2)
- F. A late charge of ten dollars (\$10.00) or ten percent (10%) whichever is greater will be added on the twenty-sixth (26) day of the month.

Section 2 Delinquency Procedure (revised Ord. 2008-2)

- A. An account is considered delinquent when their account shows a past due amount.
- B. Delinquent accounts must pay their past due amount on or before the sixteenth (16) day of the month as indicated upon the bill.
- C. If the bill has not been paid by the sixteenth (16) day of the month then a final notice will be sent giving the customer an additional ten (10) days, beginning from the mailing date of said notice, to pay the delinquent charges or the water will be turned off to the premises.
- D. If the water is turned off the customer shall be required to pay their delinquent charges and a service fee before the water can be reinstated. The service fees are as follows:
 - 1. Fifty Dollars (\$50.00) between the hours of 9:00 a.m. and 3:00 p.m. on weekdays.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

2. One Hundred Dollars (\$100.00) between the hours of 3:01 p.m. and 8:59 a.m. on weekdays.
 3. One Hundred Dollars (\$100.00) on weekends and holidays.
- E. Disputes involving this Section shall be submitted in writing, stating the basis for the dispute, and submitted to the Village Clerk prior to termination of services. Said written disputes will be reviewed by the Public Works Committee at its next scheduled meeting.

Section 3 Person Responsible for Payment

- A. The owner of the premises, the occupant thereof, the tenant thereof, or the user of the water service shall be jointly and severally liable to pay for the service to such premises.
- B. In the event the water bill is not paid, the owner or occupant or user or tenant shall be jointly and severally liable to pay all costs incurred in collecting said water bill, including but not limited to, all reasonable Attorney's fees and court costs.

Section 4 Lien Notice of Delinquency

- A. Lien: in the event charges for water service remains unpaid after rendition of the bill for such services, such charges shall be deemed and are hereby declared to be delinquent and thereafter such delinquency shall constitute a lien upon the real estate for which service is supplied, and the Clerk is hereby authorized and directed to file with the County Recorder of Deed of Winnebago County a notice of lien claim showing such delinquencies and the filing of such statement shall be deemed notice of the lien for said water service.
- B. This notice shall consist of a sworn statement setting out the following:
 1. The address of the premises served.
 2. The amount of money due for such water service.
 3. The date when such amount became delinquent.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

4. The Village's reasonable Attorney's fees.
 5. The Recorder's fees.
 6. The costs for verifying the legal description of the property.
- C. This remedy of a lien notice shall not be construed to limit or in any manner interfere with the right and power of the Village to enforce collection of the unpaid water bills or any other violation of this Ordinance by any other action.
- D. Notification of lien:
1. If the user whose bill is unpaid is not the owner of the premises and the Clerk has notice of this, then the notice shall be mailed to the owner of the premises, if his address be known to the Clerk.
 2. Failure of the Clerk to mail such notice or the failure of the owner to receive such notice shall not affect the right to foreclose the lien for unpaid bills, as provided in this section.
- E. Foreclosure of lien: property subject to a lien for unpaid charges shall be foreclosed in the manner as provided by the Illinois Compiled Statutes.
- F. Every water lien shall, upon compliance with the condition hereinafter set forth, become and be prior and superior to the rights and interest of creditors, encumbrances, purchasers and other parties in interest in the premises and real estate.
- G. When this Article shall become effective, a copy of this section thereof properly certified by the Clerk shall be filed in the office of the Recorder of Deeds of Winnebago County, and shall be deemed notice to all owners of real estate of their liability for charges for the water system supplied to any occupant or user of such service on their property.
- H. The lien provisions established in this Article shall become effective upon passage, approval and publication of this Article.
- I. No water lien shall be defeated to the proper amount thereof because of an error or overcharge on the part of the Village, nor shall any such lien be defeated upon proof that such water was used or contracted for by a tenant of the premises or occupant thereof or user thereof other than the owner.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

Section 5 Revenues and Accounts

- A. The Clerk shall keep accounts of all the money received by the Clerk's Office for payment of water bills, and the source and disposition thereof; and such other accounts as may be required by Statute.
- B. The Clerk shall promptly deposit all money received for payment of water bills on behalf of the Village of Pecatonica and make the necessary reports to the Village Treasurer.
- C. The Village Treasurer or his authorized agent shall keep accurate records of all money received showing the source from which it is received, the purpose for which it is paid; and shall keep records at all times showing the financial status of the Water Department and report such facts to the Village Board of Trustees.

Chapter Twenty-One Customer Billing and/or Violation Appeals Procedure

- A. At any time before the date of termination of water service for nonpayment of the amount shown on the water bill or for a violation of this Article or for a notice of rejection, a customer may dispute the basis of the termination, violation or rejection.
- B. The customer shall not be entitled to dispute the basis of termination, violation, or rejection if the basis was the subject of a previous dispute under this Article.
- C. The procedure for customer disputes shall be as follows:
 - 1. If a notice of termination has been given for nonpayment for water usage charges or violation of this Article or any other reasons to which they have received such notice, the customer shall have the right to dispute such notice by notifying the Clerk before the date of termination, in writing, that they dispute such notice and state as completely as possible the basis for their dispute.
 - 2. If a notice of rejection has been given, the customer shall notify the Clerk, in writing, that they dispute the reasons for rejection and state as completely as possible the basis for their dispute.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

3. If the Clerk determines that the present dispute is untimely or that the customer previously disputed the basis, the Clerk shall mail to the customer a notice stating that the present dispute is untimely or invalid.
 - a. A dispute is considered untimely if filed after the water service has been terminated and the Water Department shall then proceed as if the customer had not notified the Clerk of the present dispute.
 - b. If the Clerk determines that the present dispute is not untimely or invalid under this Article, the Clerk will within three (3) days after receipt of the customer's notice or a reasonable time thereafter, advise the customer to attend the next scheduled Public Works Committee Meeting to discuss the dispute. (Revised: Ord. 2007-11-5)
4. Water Department records, Village records, customer's allegations and all other relevant materials available shall be used to resolve the dispute in a manner satisfactory to all parties involved in the dispute.
5. Within five (5) days of completion of the meeting, the Clerk shall mail to the customer a copy of the decision from the meeting resolving the dispute.
6. If the decision is unsatisfactory to the customer, the customer, within five (5) days of the mailing of the Village's decision, as determined by the postmark, may file, in writing with the Clerk, a request for a formal hearing before the Village Board.
7. The formal hearing before the Board shall be held at its next regularly scheduled Board meeting following the Clerk's receipt of the customer's written request.
8. At the hearing, the Superintendent, the Committee Chairman, and the customer shall be entitled to present all evidence that is, in the Village Board's view, relevant and material to the dispute, and to examine and cross-examine witnesses. A stenographic record of the hearing shall be maintained, at the customer's cost (to be added to the water bill).

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

9. Based on the record established at the hearing, the Board, within five (5) days of the completion of the hearing, shall issue its written decision formally resolving the dispute.
 10. This decision shall be final and binding on the Water Department and on the customer.
- D. Utilization of this dispute procedure shall not relieve a customer of his obligation to:
1. Timely and completely pay all other undisputed water charges or other fees or costs provided for herein.
 2. Timely and completely pay the undisputed portions of the amounts which are subject to the present dispute.
 3. Comply with all other provisions as set forth in this Article.
- E. Until the date of the Village Board's decision, the Water Department shall not terminate the water service of the customer and shall not issue a notice of termination to him solely based upon the matters in dispute.
- F. If it is determined that the customer must pay some or all of the disputed amounts, or must take some action to comply with all other provisions of this Article, the Clerk shall be instructed to send a notice of termination, which shall contain the following: (Revised: 2007-11-5)
1. The amount to be paid or the violation to be corrected.
 2. The date of the notice of termination.
 3. The date of termination.
 4. Notice that unless the Clerk receives complete payment in the amount shown prior to the date of termination, or that the violation has been corrected, water service shall be terminated.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

Chapter Twenty-Two Termination of the Water Services

Section 1 Requested Turn Off/On or Disconnect/Re-Connect

- A. Whenever a premise is to be vacated or closed for any period of time, application shall be made to the Water Department to have the water supply turned off or disconnected.
- B. The Water Department shall then proceed to turn off the water, read and if necessary, remove the water meter.
- C. The customer will receive a bill for water usage based on the meter reading and pay an additional fee as described below.
 - 1. If the request is for turning off of service at the curb stop then a fee of twelve dollars and fifty cents (\$12.50) shall apply.
 - 2. If the request is for disconnection of service then the customer will be required to pay the charges, including but not limited to, the costs of labor and materials.
- D. Whenever the premises requires the water service to be turned on or re-connected to the water system then application shall be made to the Water Department and a fee for such will be charged as follows:
 - 1. If the request is for turning on of service at the curb stop then a fee of twelve dollars and fifty cents (\$12.50) shall apply.
 - 2. If the request is for re-connection of service then the customer will be required to pay the charges, including but not limited to, the costs of labor and materials.

Section 2 Termination due to Delinquency or Violation of this Article

- A. The provisions of this section shall govern all terminations of water service for nonpayment of utility charges or for failure to comply with any of the provisions as set forth in this Article.
- B. If by the payment date shown on the water bill the Village has not received complete payment of the amounts shown on the bill or that violations of this Article have not been corrected, then the Water Department shall mail to, or personally serve upon the customer, a notice of termination.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

- C. The notice of termination shall contain the following:
1. The amount to be paid or the violation to be corrected.
 2. The date of notice of termination.
 3. The date of termination, which shall be at least ten (10) days from the date of notice of termination.
 4. Notice that unless the Water Department receives complete payment of the amount shown or that the violation has been corrected prior to the date of termination the water service shall be terminated.
- D. If, prior to the date of termination the Water Department has not received complete payment of the amount shown on the notice of termination or corrected the violation for such notice or the customer has not notified the Clerk that he disputes the correctness of the notice then the Water Department shall terminate the water service provided to the customer on the date of termination.
- E. If the Water Department receives payment of the entire amount shown on the notice of termination or the violation has been corrected prior to the date of termination, such payment or correction shall be considered timely for the purposes of this Article.

Section 3 Limitations on Termination of Water Service

- A. The Water Department shall terminate water service for nonpayment of water charges and/or violations to this Article only between the hours of nine-thirty o'clock (9:30) A.M. and three o'clock (3:00) P.M. Monday through Thursday. (Revised: Ord. 2007-11-5)
1. No terminations shall be permitted on Friday, Saturday, Sunday or a legal holiday or on the day before a legal holiday.
- B. No terminations shall be permitted on a day when the low temperature within the previous twenty-four (24) hours, as reported by the National Weather Service at its First Order Station nearest the residence, was below zero (0) degrees Fahrenheit.

**VILLAGE OF PECATONICA
MUNICIPAL CODE
ARTICLE NINE
WATER**

- C. If water service to a residential customer has been terminated and not reinstated by three o'clock (3:00) P.M. on the day of termination, when the low temperature within the previous twenty-four (24) hours, as reported by the National Weather Service, was below thirty-two (32) degrees Fahrenheit, the Water Department shall notify the Police Department and the County Health Department on the day of termination of the following:
1. The name of the customer.
 2. The address and location of the residence no longer receiving water service.
- D. The Water Department shall not initially undertake to terminate water service for nonpayment of amounts totaling less than forty dollars (\$40.00).

Section 4 Reinstatement of Water Services

- A. When a water service has been terminated in accordance with the provisions of this Article, the Water Department shall be instructed to reinstate such service when:
1. Complete payment of the amount whose nonpayment prompted the termination with an additional fee of twenty-five dollars (\$25.00) for turn off and twenty-five dollars (\$25.00) for turn on has been paid to the Water Department or
 2. Notice has been received by the Water Department that the violation of this Article has been corrected.
 3. All costs for reinstatement of water, by the water department, on Saturday, Sunday, Holidays, or after normal working hours, shall be borne by the customer. (Ord. 2002-2-2)
- B. The Water Department will reinstate the water service to the customer, during their regular working hours, within one full working day of the Water Department when provisions in subparagraph (A) have been completed. (Ord. 2002-2-2)
- C. Such payment or correction of violation shall not be considered as timely for the purposes of this Article.