

CHAPTER 3

WATER USE AND SERVICE

SECTION:

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9-3-1: **WATER SERVICE CONNECTIONS:**

- A. Connections Required: The owner, occupant or party or parties in possession of any house, structure, factory, industrial or commercial establishment or any other building or structure of any other character which uses water and is located on property within the corporate limits shall cause such house, structure, factory, industrial or commercial establishment or any other building or structure of any other character to be connected with the waterworks systems within ninety (90) days from the date that water facilities become available to such property.
- B. Permit Required: No connections with the waterworks system shall be made without a permit issued by the Public Works Department.
- C. Connection to System; Charge Incurred: All such connections shall be made by the Village forces under the supervision of Public Works Department, and no connections shall be covered until the work has been inspected to the satisfaction of the Public Works Department. Whenever any premises shall hereafter be connected with the waterworks system, a charge shall be made. (Ord., 05-14-02, 5-14-2002)

9-3-2: **TURN ON WATER:**

- A. Authority: No water from the waterworks system shall be turned on for service into any premises by any person but the Public Works Department personnel.

- B. Application for Service: Application to have water turned on shall be made in writing to the Public Works Department and shall contain an agreement by the applicant to abide by and accept all of the provisions of this Chapter as conditions governing the use and service of the waterworks system by the applicant.
- C. Fee: A fee of twenty-five dollars (\$25.00) shall be paid for turning on the water. The only exception to this will be when the customer temporarily relocates to another home out of state, in which case a fee shall be added to the bill at the time of turn on.
- D. Compliance with Plumbing Regulations: No water shall be turned on for service in any premises in which the plumbing does not comply with the Ordinances of the Village, provided that water may be turned on for construction work in unfurnished buildings, subject to the provisions of this Chapter. (Ord. 5-14-02, 5-14-2002)

9-3-3: **WATER SERVICE INSTALLATIONS:**

- A. Liability for Costs: All service pipes and laterals from the waterworks systems (water mains) to the stop box shall be installed by, and at the expense of the Village for a distance not to exceed two-hundred feet (200'). If such water service must cross a city or state road or alley that requires boring and casing, the cost of such boring and/or casing shall be borne by the applicant for the service or the owner of the property being served. All expense for more than two-hundred feet (200') shall be at the cost of and installed by the owner of the property to be served or the applicant for service. All such water services shall have a curb cock on the terrace with a stop box flush with the ground.
- B. Pipe Specifications: All water services used or laid on the Village property shall be of K copper construction. Plastic pipe is allowed as long as copper tracer wire is used in conjunction.
- C. Excavations for Installations: Excavations for installing service pipes and laterals or repairing the same shall be made in compliance with the Ordinance provisions relating to making excavations in streets, provided that it shall be unlawful to place any service pipe in the same excavation with, or directly over, any drainage or sewer lateral. A construction and digging permit must be obtained by the Public Works Director before any digging can occur. All plans to connect to the existing Village service lines must be approved by the Village Public Works Director.

- D. **Curb Boxes:** Curb boxes or service boxes shall be placed on every service pipe, and shall be located between the curb line and the sidewalk line where this is practicable. Such boxes shall be so located that they are easily accessible and shall be protected from frost.
- E. **Water Service to More than One Premises:** No owner or plumber shall be permitted to connect water pipes into any two (2) distinct premises or tenements unless separate and distinct stopcocks shall be placed on the outside of each such premises along the sidewalk opposite the same, nor shall any pipe be allowed to cross lots or buildings to adjoining premises. Duplex flats, double houses and apartment houses shall be considered as one “premises” shall be construed to cover all buildings and divisions under one common roof, owned by one party, who will be charged for all services to such premises. (Ord. 5-14-02, 5-14-2002)

9-3-4: **WATER METERS:**

- A. **Meters Required:**
1. All premises using the Village water supply must be equipped with and adequate gallon water meter. All meters placed in service on any premises using the Village water supply will be provided and owned by the Water Department, which retains the right to inspect, repair and replace them upon reasonable notice to the owner of the premises.
 2. Any house or building constructed within the Village or constructed outside of the Village and using the Village water must have installed a meter that will service each individual user located upon any new constructed property.
- B. **Installation of Meters:** Meters shall be installed in a location that will provide easy access thereto.
- C. **Reading Meters:** The Public Works Department shall read or cause to be read every water meter used in the Village at such times as are necessary so that the bills may be sent out at the proper times.

- D. **Testing Meters:** Upon request or complaint of the consumer, any water meter shall be tested for accuracy. If, upon testing, the meter is found to be over three-percent (3%) off in accuracy, the meter shall be replaced at no cost to the consumer. If the meter is found to be three-percent (3%) or less in accuracy then the consumer shall pay a testing fee of twenty-five dollars (\$25.00). (Ord. 05-14-02, 5-14-2002)
- E. Upon the construction of any new apartment buildings in The Village of Elizabeth, each apartment shall have its own water meter and be charged a rate based on that water meter usage.
- F. All existing apartments and single apartments within The Village of Elizabeth, each apartment shall begin paying a minimum rate. The apartment owner shall be responsible for the minimum amount of each apartment and any overage and it shall be paid by the owner of the apartment building. (Ord.

9-3-5: **RESALE OF WATER; UNAUTHORIZED USE:** No water supplied by the waterworks system of the Village shall be resold by any user. No water user may supply water to other families or allow them to take, except for use on the premises and for the purpose specified in such user's approved application. After water is introduced into any building or upon premises, no person shall make or employ any other person to make any tap or connection with work upon the premises for alterations, repairs, extensions or attachments without written permit therefor. Resale or unauthorized use of water shall be grounds for discontinuance or water service to the user, or the premises, or both. (Ord., 05-14-02, 5-14-2002)

9-3-6: **PROTECTION FROM DAMAGE:** It shall be unlawful for any person not authorized by the Village to tamper with, shut off, turn on, alter or injure any part of the Village waterworks or supply system, or any meter. Any person violating this Section shall be subject to a fine of five-hundred dollars (\$500.00), plus the costs to repair any damage. (Ord. -5-14-02, 5-14-2002)

9-3-7: **INSPECTIONS, TESTS AND SAMPLING:**

- A. Right to Access; Use Inspection: The Village and its employees and the Illinois Environmental Protection Agency shall have ready access at all reasonable times to the premises, places or building where water service is supplied for the purpose inspecting, examining and testing the consumption, use and flow of water, and it shall be unlawful for any person to interfere with, prevent or obstruct the Village or its duly authorized agent or the Illinois

Environmental Protection Agency in its duties hereunder. Every user of the system shall take the same upon the conditions prescribed in this Subsection.

B. Powers and Authority of Inspectors:

1. The Public Works Department and other duly authorized employees of the Village and the Illinois Environmental Protection Agency, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and

testing in accordance with the provision of this Chapter. The Public Works Department or its representative shall have no authority to inquire into any processes, including metallurgical, chemical, oil refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

2. While performing the necessary work on private properties referred to in Subsection B1 of this Section, the Public Works Department or duly authorized employees of the Village and the Illinois Environmental Protection Agency shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the Village employees, and the Village shall indemnify the company against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operating, except as such may be caused by negligence or failure of the company to maintain conditions as required.
3. The Public Works Department and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all private properties through which the Village holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the waterworks lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved. (Ord. 05-14-02, 5-14-2002)

9-3-8: **LIABILITY:**

- A. Repairs: All repairs for service of pipes and laterals from the waterworks system (water mains) to the curb or stop box shall be made by and at the expense of the Village. From the curb or stop box to the property being served, all repairs and excavations shall be by and at the expense of the property owner.
- B. Service Failures: All waterworks services supplied by the waterworks system 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 reason of the breaking of any main, branches, service pipes, apparatus or appurtenances connected with said system or any part or portion thereof, or for any interruption of the supply by reason of the breakage of machinery, or by

reason of stoppage, alterations, extensions or renewals.

- C. Service Interruptions: The Village reserves the right to shut off water at any time in the mains for the purpose of repairing, cleaning, making connections with or extensions to same, or for the concentrating of water in any part of the Village in case of fire, and for restricting the use of water in case of delinquency in supply, including the suspension of the use of water for sprinkling lawns or gardens. 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 water for repairing, laying or relaying mains, hydrants or other connections, or repairing any part of the water system, or from failure of the water supply, or by increasing the water pressure at any time, or from constricted or restricted use of water as above. (Ord. 05-14-02, 5-14-2002)

9-3-9: **VIOLATIONS; PENALTY:**

- A. Notice of Violation: Any person found to be violating any provision of this Chapter except Section 9-3-7 of this Chapter shall be served by the Village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- B. Penalty: Any person who shall continue any violation beyond the time limit provided for in Subsection A of this Section shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in the amount not exceeding one-hundred dollars (\$100.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
- C. Liability for Violation: Any person violating any of the provisions of this Chapter shall become liable to the Village by reasons of such violation. (Ord. 05-14-02, 5-14-2002)