

CHAPTER 13

WATER WORKS

Article 1

13-1 Definitions:

WATERWORKS: means and includes a waterworks system in its entirety or any integral part thereof, including mains, hydrants, meters, valves, standpipes, storage tanks, pumping tanks, intakes, wells, impounding reservoirs or purification plants.

Article 2      VILLAGE BOARD OF WATER COMMISSIONERS

13-11 Established:

There is hereby established a Village Board of Water Commissioners for the Village of Fieldon. Such Board shall consist of three (3) members appointed by the Village Board of Trustees to administer the action and function of the village in managing, maintaining and operating the water works.

13-12 Term Of Office :

The terms of the office shall be established by the Board of Trustees of the Village of Fieldon.

13-14 Compensation:

Each such member shall receive compensation.

13-15 Vacancy:

Should a vacancy occur in the membership of the Board of Water Commissioners, the Village Board of Trustees shall appoint a successor to fill the unexpired term of said member creating the vacancy.

13-16 Duties:

The Village Water Board of Commissioner shall:

- (1) approve all contracts for materials and services;
- (2) employ all such persons as the proper and successful operation of such water works system may require; including a superintendent, an engineer and an attorney;
- (3) approve all expenditures of any revenues of such water works system for operation and maintenance or to pay the cost of any additions or improvements thereto before disbursements are made;

(4) to perform any act in respect to the management, maintenance or operation of the water works system as may be required by the laws of this state or as may have been undertaken in the ordinance or ordinances pursuant to which such board was established or bonds issued.

Article 3

WATER DEPARTMENT

13-21 There is hereby established the water department of the Village of Fieldon, which shall have jurisdiction over the water and water-works of the village, and shall be subject to the Board of Water Commissioners of the Village.

13-22 Powers and duties:

(a) Ownership, installation and maintenance: The village shall own and the water department shall install and maintain the complete water system, water mains and service lines to the property line of premises to be served under this article or to a mutually agreed upon point, subject to the Village Water Board determining that a particular service is economically feasible to install. The water department shall furnish, install and maintain a water meter. The shutoff valve shall be installed on the user's property line or such other point determined by a duly authorized representative of the water department. The water meter may be located near the shutoff valve or within the user's premises as determined by the water department representative. The meter and shutoff valve shall be located at a point where it is readily accessible.

(b) Refusal of service: The water department may at any time refuse additional services to any applicant, if in the judgment of the Village Water Board and the village council, the capacity of the system will not permit such use.

(c) Use of water on user's premises: The water department shall reserve the right to use the water from the user's facilities at any time deemed necessary. No charge shall be made by the user for the use of facilities and no charge shall be made by the water department for the water used by the water department.

13-23 Village not liable for interruption of service:

All water service supplied by the water department shall be upon the express condition that the water department shall not be liable, nor shall any claim be made against it, for damages or injury caused by reason of shutting off of water for repair, relocation

or expansion of any part of the system, or for the failure of any part of the water system or for concentration of water for such purposes as fire fighting, or the restricted use of water.

13-24 Service Lines:

(a) The user shall be responsible for the installation and maintenance of water service lines between the property line and the residence or business to be served. The service lines shall be at least three-quarters-inch in diameter and shall be installed at a minimum depth of thirty-six (36) inches. The service lines shall be constructed of one of either soft copper type K or type L. Service lines shall not be covered until they are inspected and approved by a duly authorized water department representative.

(b) Trailer parks, duplexes or apartment houses shall have separate water service lines for each family unit. In addition, should the multiple unit, including parking and yard areas, compose more than one lot, there shall be a separate tap-on fee assessed for each lot.

(c) A water service line shall meet the requirements of the state department of public health.

13-25 Manner of making excavations for service lines:

It shall be unlawful to lay any water or sewer service lines across any village street unless a trencher or spade is used in the excavation of the roadway and the trencher or spade must not be over ten (10) inches in width. A backhoe may be used if no more than twenty-four (24) inches in width. Asphalt shall be cut so as to preserve the street.

13-26 Separate facilities required for each family unit:

If more than one family unit is located upon the premises, then the user shall make an application for each family unit and a separate cutoff valve, meter and service line shall be installed for each family unit.

13-27 Village to turn water on and off:

It shall be unlawful, except in an emergency, for any person other than an authorized officer or employee of the village or of the board of water, to turn water on or off to any premises in the village.

13-28 Cross-connection of water supplies:

A user of village water shall not connect any water service line or any plumbing connected with the service line to any other water source.

13-29 Water meter installation:

A user of village water shall permit the water meter to be located upon his property.

13-30 Easements:

A user of village water shall give such easements and right-of-way as are necessary to the water department and shall allow access for the purpose of construction, repair, maintenance and meter reading of the water system. The necessity shall be determined by the board of water.

13-31 Extension of mains:

(a) Determination of who pays expenses of extension: The board of water commissioners and the village council shall first determine if an extension of a water main is economically feasible based on the estimated costs of the extension and the number of existing potential users that will use water along the extension. If the extension is economically feasible, the water department may install and pay the cost of the extension at the discretion of the board of water commissioners and the village council. If the water department elects not to pay the cost of extending the water main, then the person desiring village water service may install the extension at his own expense upon written consent by the board of water commissioners and the village council. The water department shall not pay for any extension to an undeveloped area or to any area such as a subdivision being developed unless there are sufficient existing residents or businesses to make the extension economically feasible.

(b) Requirements if a main extension is made by other than the water department:

(1) The water department shall approve all plans and specifications for any extension;

(2) Before any extensions are installed, the plans and specifications shall be reviewed and approved by the village council prior to approval by the state department of public health;

(3) Ownership, rights-of-way and title shall be conveyed to

the village for all extensions installed by any person other than the water department. The water department shall maintain the mains thereafter;

(4) No water main extension will be permitted if, in the opinion of the board of water commissioners and the village council the system does not have the necessary capacity to serve the proposed extension.

13-32 Maximum width of backhoe used for excavations for water mains:

It shall be unlawful for any person in excavating in any village street for any water main, to use a backhoe over twelve (12) inches in width.

13-33 Duty of user upon change in occupancy:

(a) Notice to water department: Any user requesting a termination of service shall give written notice to the secretary of the water commissioners ten (10) days prior to the time such termination of service is desired. At that time, the meter shall be read by the water department and the user will be billed for the charges for water consumed.

(b) Responsibility for payment for services consumed: Responsibility for payment for water consumed prior to the request for termination pursuant to subsection (a) shall be with the user.

(c) Charges for change: There shall be no charge for transferring the water service to a subsequent user.

13-34 Damage to water department property:

(a) It shall be unlawful for any person to tamper, adjust, damage or in any manner interfere with the components or operation of the water system owned by the village. The penalty for tampering, damaging, adjusting or in any manner interfering with the components or operation of the village water system shall be up to one hundred dollars (\$100.00) payable to the water department.

(b) If the penalty imposed by subsection (a) is not paid within thirty (30) days after the amount is determined, the water department shall shut off the water service. The amount of the penalty shall be determined by the board of water commissioners.

(c) In addition to the penalty under subsection (a), a user responsible for damages shall reimburse the water department for the

actual cost of repairing any damage arising from a malicious act.

(d) Users shall report any known evidence of tampering, adjusting, damaging or interference with the operation of the water system, owned by the village, to any member of the board of water commissioners or the village council.

(e) Any person found guilty of any malicious act or damage to the water works system shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00).

13-35 Permitted uses of village water; resale:

Water purchased from the water department may be used for ordinary domestic, industrial or farm use upon the premises of the user provided that no user shall resell or permit the resale of water purchased from the water department.

13-36 Fluoridation:

Until further directions are given by the village council, the department of public health is authorized and directed to provide the means and to proceed with the introduction of approximately 1.0 to 1.5 parts per million of flourine to the water being distributed in the water system for the village.

13-37 Application and agreement prerequisite to service:

Village water service shall be furnished only to users upon the filing of an application therefor and a water user's agreement with the office of the water department, upon a form to be supplied by the water department.

13-38 Connection charges:

(a) TA tap-on fee for water service to new users, including new developments, shall be twenty-five (\$25.00) dollars for each three-fourths-inch and for each one-inch water meter. ~~TO \$100.00~~

(b) Any subdivision or new development that is outside the village shall pay the tap-on fee of (\$25.00) for each five-eighths inch or one-inch water meter.

(c) All tap-on fees for users shall be paid in chase for new construction connection mandatory.

No. 2022-~~2~~3

AN ORDINANCE AMENDING THE  
CODE OF ORDINANCES FOR THE VILLAGE OF FIELDON

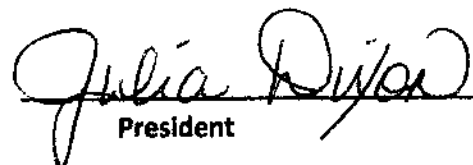
BE IT ORDAINED AS FOLLOWS:

1. That section Article 13, Section 13-38 of the Code of Ordinances of the Village of Fieldon is hereby amended to read as follows:

**"13-38 Connection Charges:**

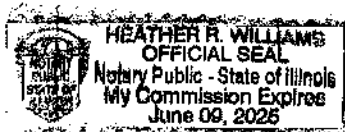
- (a) TA tap-on fee for water service to new users, including new developments, shall be ~~One Thousand (\$1,000.00) dollars for each three-fourths-inch and for each one-inch meter.~~
  - (b) Any subdivision or new development that is outside the village shall pay the tap-on fee of Fifteen Hundred (\$1500.00) dollars for each five-eighths inch or one-inch meter.
2. That all other terms and conditions of the Code of Ordinances remain unchanged in full force and effect.
  3. That the Village Clerk is directed to post the Ordinance in two places within the Village of Fieldon.
  4. That this Ordinance shall take effect ten days after passage and posting.

ORDAINED this 7<sup>th</sup> day of December 2022.

  
President

ATTEST:

  
Village Clerk



13-39 Deposit:

In addition to the connection charges established in this article, a ten dollar (\$10.00) deposit shall be made by the non-commercial user of the Village water and a fifty dollar (\$50.00) deposit by a commercial user of Village water to guarantee payment of water bills. The deposit shall be returned to the user without interest upon termination of the water service and if all accounts of the user have been paid.

13-40 Rates established:

For each premises which may directly or indirectly be connected to the water lines of the water works system, a charge shall be made for each monthly period to be determined by applying to the total quantity of water used or consumed on the premises during the monthly period, the rates which pertain to the use made of the premises and the type of service received as follows:

(a) Domestic service: applicable to all premises used for residential purposes:

<u>Quantity used per month</u>	<u>Charges</u>
First 2,000 gallons or less	_____
Next 8,000 gallons or less	_____
Next 15,000 gallons or less	_____
Over 25,000 gallons	_____

(b) Commercial and industrial service: Applicable to premises used solely for commercial or industrial purposes, including all public buildings, cemeteries, parks, churches and clubhouses:

<u>Quantity used per month</u>	<u>Charges</u>
First 2,000 gallons or less	_____
Next 8,000 gallons or less	_____
Next 15,000 gallons or less	_____
Over 25,000 gallons	_____

13-41 Time when liability for water charges attached:

The minimum charges for water service established in this division shall be paid for each meter service, beginning with the acceptance of the system by the water department or the installation of the meter service by the water department, whichever is the later, even if the user uses no water during that period.

13-42 Billing; payment:

Water meters shall be read by the water department by the \_\_\_\_\_ day of each month. If weather conditions or other circumstances prevent the reading of meters, then each water bill shall be estimated by the water department. Whenever a meter reader does not have access to the meter, a stamped card will be left at the door, and where the customer does not send the card in with the reading for a period of \_\_\_\_\_ months, then the city will install a remote control meter that can be read from the outside of the building and the customer will be charged \$10.00 for the installation of this meter. Water bills shall be mailed by the first day of each month and shall be delinquent ten (10) days after mailing. Bills shall be paid to the water department or its designated representative.

13-43 Penalty for late payment; discontinuance of service:

There shall be a ten (10) per cent penalty added to each water bill that is unpaid ten (10) days after mailing. If any bill remains unpaid twenty (20) days after mailing, the water supply to the property affected may be shut off by the water department and the service will not be restored until the delinquent charges and penalty are paid in full. In addition, a five dollar (\$5.00) service fee will be added to cover the cost of restoring service.

13-44 Lien on real property for delinquent charges; perfecting lien:

In the event charges for any of the services of the water and sewerage systems are not paid within thirty (30) days after a bill is rendered, the charges shall be deemed and are hereby declared to be delinquent and the delinquent charges shall constitute a lien upon the real estate upon or fro which the service shall have been supplied. A sworn statement shall be filed in the office of the recorder of deeds of the county by the appropriate officer of the village having supervision over the billing and collecting of charges for the service of the water system, setting out a description of the real estate sufficient for the identification thereof, the amount due for the services and the date when such amount became delinquent, which shall be deemed notice of the lien for payment of the services.

13-45 Duties of the village attorney:

It shall be the duty of the village attorney to assist in the collection of water bills rendered pursuant to this divison, if assistnce is so requested by the board of water commissioners.

The village attorney shall be paid the amount of the penalty attached to the bill, for collection thereof, from the funds of the water department. It shall also be the duty of the village attorney to prepare all liens and line notices against persons and owners of property, whose bills are delinquent by the provisions of this division and to have the appropriate person sign and swear thereto and to file the liens and lien notices in the office of the recorder of deeds of the county. The village attorney shall charge as a part of the liens, a reasonable attorney fee, which shall be determined by the circuit court and attached to the liens as costs.

13-46 Foreclosure of lien; action at law for delinquency:

(a) The village shall have the power to foreclose a lien perfected pursuant to this division in like manner and with like effect as in the foreclosure of mortgages on real estate.

(b) The village is authorized from time to time to sue the occupant or user of real estate in a civil action to recover money due for water and sewerage services, plus a reasonable attorney fee for the village attorney, to be fixed by the court; if a judgment is obtained in the civil action, the obtaining of a judgment shall operate as a release and waiver of any lien for said amount which has been obtained, or is obtainable under this division.

13-47 Penalty:

Any person, firm or corporation violating any provisions of this article shall be fined not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

ORDINANCE

WHEREAS, the Illinois Department of Public Health has enacted and adopted a Plumbing code, a copy of which is found at 77 Administrative Code, Chapter 1, Paragraph 890 et al., a copy of which is attached hereto.

WHEREAS, the Board of Trustees of the Village of Fieldon believe it to be in the best interest of the residents of the Village of Fieldon to adopt and enact said Plumbing Code with regard to public works performed in the Village of Fieldon.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF THE VILLAGE OF FIELDON:

SECTION 1: That the Village of Fieldon hereby adopts and incorporates the Plumbing Code enacted by the Illinois Department of Public Health.

SECTION 2: Nothing herein contained shall be construed to apply said Plumbing Code to any work or job except public works construction of the Village of Fieldon.

SECTION 3: If any portion of this ordinance shall be declared to be unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1992.

(SEAL)

\_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Village of Fieldon Clerk