

CHAPTER 38

UTILITIES

ARTICLE I - DEPARTMENT ESTABLISHED

38-1-1 **DEPARTMENT ESTABLISHED.** There shall be an executive department of the Village known as the Water and Sewer Department. It shall include the Committee on Water and Sewer, appointed by the Mayor, and its employees. The designated office shall be the Village Hall.

38-1-2 **WATER AND SEWER COMMITTEE.** The Water and Sewer Committee shall exercise a general supervision over the affairs of the waterworks system and sewerage system. The Committee shall ascertain the condition and needs thereof; shall, from time to time, report the same to the Mayor and Village Board so that a full understanding thereof shall be had; and generally, shall do all acts necessary to promote the efficiency of the Water and Sewer Department.

38-1-3 **SUPERINTENDENT.** The Water and Sewer Superintendent shall be subject to the guidance of the Committee on Water and Sewer and shall be known as the "Superintendent". He shall be employed by the Mayor and Board of Trustees. He shall receive such pay as may be provided for by the Village Board. The Superintendent shall be known as the Superintendent of Water and the Superintendent of Sewer.

ARTICLE II - RATES AND REGULATIONS**38-2-1 CONTRACT FOR UTILITIES SERVICE.**

(A) **Customer Accepts Service.** The rates, rules, and regulations contained in this Chapter shall constitute and be considered a part of the contract with every person, company or corporation who is supplied with water and sewer services from the waterworks and sewerage system and every person, company or corporation, hereinafter called a "customer", who accepts and uses Village water and sewer services shall be held to have consented to be bound thereby.

(B) **Not Liable for Interrupted Service.** The Department shall endeavor at all times to provide a regular and uninterrupted supply of service, but in case the supply of service shall be interrupted or irregular, or defective, or fail from causes beyond its control, or through ordinary negligence of employees, servants or agents, the Department shall not be liable therefor.

(C) **Using Services Without Paying.** Any person using utility services from the Village without paying therefor, or who shall be found guilty of breaking the seal of any meter or appurtenances, or bypass any meter, shall be guilty of violating this Code, and upon conviction, shall be fined a sum as provided in **Section 1-1-20** of this Code.

(D) **Destroying Property.** Any person found guilty of defacing, tampering, injuring or destroying, or in any manner limiting the use or availability of any meter or any property of the waterworks system and sewerage system, or erecting signs on the property of the Department without permission shall, upon conviction for such act, be fined as provided in **Section 1-1-20** of this Code.

(E) **Service Obtained by Fraud.** All contracts for water and sewer services must be made in the name of the head of the household, firm, or corporation using the established spelling of that person's or firm's name. Attempts to obtain service by the use of other names, different spellings or by substituting other persons or firms will be considered a subterfuge and service will be denied. If service has been discontinued because of nonpayment of bills, or any unpaid obligation and service has again been obtained through subterfuge, misrepresentation or fraud, that service will be promptly disconnected and the whole or such part of the advanced payment as may be necessary to satisfy the unpaid obligation shall be retained by the Village and credited to the appropriate account.

(F) **Failure to Receive Bill.** Failure to receive a bill shall not excuse a customer from his obligation to pay within the time specified. Should the Department be unable to bill a customer for services used during any month, the following billing shall include the charges for services used during the unbilled month.

(G) **Request to Discontinue Service.**

- (1) Customer shall notify the office of date leaving and date returning, during normal business hours.
- (2) Customer shall "vacation" for **four (4) consecutive weeks** or more and then there will be no reconnection charge assessed.
- (3) Customer's account cannot be delinquent.

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- (4) Water shall be turned off by the Village, and sewer and trash will not be billed during this time; water will be turned on by the Village and bills resumed upon return. (Ord. No. 97-400; 09-04-97)
- (H) **Billing; Hearing; Utility Shut-Off.**
- (1) **Billing.** All bills shall be due and payable upon presentation. Payments received shall be credited towards trash collection; sewerage service and water service in that order in the event partial payment is made.
- (2) **Penalty.** If a bill is not fully paid by the **tenth (10th) day** of the following month, a penalty of **ten percent (10%)** of the amount due on said bill shall be added to the bill. This penalty shall be in addition to the charge heretofore established for the utility services.
- (3) **Utility Shut-Off.** Any customer, who fails to pay the trash, water and sewer bills within **thirty (30) days** of presentation shall have the utility services disconnected after a written notice by the Village Clerk has been mailed to the customer and owner, if different that the customer affording the customer an opportunity for a hearing. When the unpaid portion of the trash, water, and sewer bill for a customer is less than **Ten Dollars (\$10.00)**, the Village may waive the notification and shut-off process until such time as it become desirable to proceed. The penalty will apply as described in **Section 38-2-1(H)(2)**.
- (4) **Shut-Off Notice.** The shut-off notice shall specifically contain the following:
- (a) Name; service address of the customer;
 - (b) Account number;
 - (c) Total amount of bill;
 - (d) Scheduled shut-off date;
 - (e) That the customer or his representative has a right to be heard and may request a hearing date prior to the termination date with the Village Clerk to present evidence in his behalf if he does not agree with the bill;
 - (f) That if the customer fails to appear at the hearing, the customer's utility service shall be terminated without further proceedings;
 - (g) The customer shall be given a minimum of **seven (7) day's** notice prior to termination. Termination notice may be given by certified or first-class mail, by personal delivery or by posting same on the premise to be disconnected.

- (5) **Right to Hearing.** The Mayor, the Village Clerk, or the designee of the Mayor shall determine the time, date, and location of the hearing. The Mayor, Village Clerk, or designee shall preside over the hearing. The Village reserves the right to have the Village Board decide all questions or disputes which may arise between the Village and any customer and to have the Village Board interpret the meaning of all of the provisions of this Code. The decision of the Village Board shall be final and binding upon the Village and customer, and the provisions of this Section shall become a part of every contract for utilities between the Village and all customers.
- (6) **Hearing Decision.** The customer shall be notified of the decision rendered. If the service is to be disconnected, a date and time shall be set out in the notice to terminate the service or services of the customer. Notice of the hearing officer's decision shall be made by first-class mail. If the hearing officer decides in favor of the Village, the Village shall have the right to discontinue the customer's trash, water, and sewer services.
- (7) **Failure to Appear.** Should the customer fail to appear at the hearing, or should the notice be returned or non-accepted, the Village shall have the right to terminate the customer's utility service without further proceeding.
- (8) **Owner Notification.** If the customer who has unpaid trash, water or sewer bills is not the owner of record, then the Village shall also notify the owner of the property, that the property owner will become liable for the unpaid bills.
- (9) **Reconnection Fees.** Once delinquent utility services have been disconnected, the same shall not be again connected or used until all delinquent accounts and bills of service are paid in full, plus a reconnection fee of such utility services. (Ref. 38-4-14, **Reconnection Fee**) Additionally, the tenant and/or owner of the premises shall deposit with the Village Clerk; an amount sufficient to bring the deposit to the currently established rate of deposit before service shall be restored. (Ord. No. 97-400; 09-04-97)

(I) **Lien Notice.** Whenever a bill for utility services remains unpaid for forty-five (45) days after it has been rendered, the Village Clerk shall notify the Village Attorney who shall file with the County Recorder of Deeds a statement of lien claim. This statement shall contain the legal description of the premises served, the total amount of the delinquent account, penalty fees and collection expenses and a notice that the municipality claims a lien for this amount to the period covered by the bill.

If the consumer of utility services whose bill is unpaid is not the owner of the premises and the Village Clerk has notice of this, then notice shall be mailed to the owner of the premises if his address is known to the Village Clerk.

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The failure of the Village Clerk to record such lien or 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 utility bills as mentioned herein. (See 65 ILCS Sec. 5/11-139-8)

(J) **Foreclosure of Lien.** Property subject to a lien for unpaid utility charges shall be sold for non-payment of the same, and the proceeds of such sale shall be applied to pay the charges, after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosure shall be by bill-in-equity in the name of the Village.

The Village Attorney is hereby authorized to institute such proceedings in the name of the Village in any Court having jurisdiction over such matters against any property for which the bill for utility services has remained unpaid **forty-five (45) days** after it has been rendered. (See 65 ILCS Sec. 5/11-139-8)

38-2-2 **CONSUMER LISTS.** It is hereby made the duty of the Village Clerk to prepare or cause to be prepared a complete and accurate list of all premises and properties receiving utility services, showing the name and address of the occupant and the owner of the same. The list shall be kept up-to-date, and shall be corrected from time to time to allow changes in the occupancy or ownership of any such property or premises. It shall be presented at the regular monthly meeting if requested.

38-2-3 **LIABILITY FOR CHARGES.** The owner of any lot, parcel of land or premises and the user of the services shall be jointly and severally liable for the payment of the services to such lot, parcel of land or premises, and all services are rendered to the premises by the Village only on the condition that such owner, occupant and user shall be jointly and severally liable therefor to the Village. (See 38-1-7)

38-2-4 **ESTIMATED CHARGE.** Whenever any meter, by reason of its being out of repair or from any cause fails to properly register the utilities passing through the same, the consumer shall be charged the average charge of the **previous three (3) months' usage**. If no record of the previous **three (3) months** exists, then it shall be the duty of the Village Clerk to estimate the amount of utilities consumed during the time the meter fails to operate and the consumer shall be charged with such estimated amount. Bills may be estimated whenever it is impossible to read the meters during inclement weather. (See 38-4-6)

38-2-5 **TESTING METERS.** A water meter shall be removed and tested upon a written complaint of the customer and the payment of the meter testing deposit as prescribed in Article IV herein. If the test indicates the meter is not within **three percent (3%)** of being accurate, it shall be repaired or replaced and the deposit returned to the customer. (Ord. No. 97-400; 09-04-97)

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UTILITY DEPOSITS.

(A)

- (1) **Deposits Shall Accompany Application for Service.** When application is made for utility services in accordance with the provisions of this Chapter, the required deposit shall accompany all applications for which service is requested.
- (2) **Multiple Dwellings on a Single Meter.** The owner of record of the dwellings shall have on deposit at least the minimum amount described above for one account, except as provided in **Section 38-2-6(A)(3)**. When any part of the amount due by any of the multiple dwellings on a single meter is not paid by the due date, the utility service shall be terminated at the meter as prescribed herein.
- (3) **Adequate Protection for the Department.** When the amount of the deposit provided for above is not sufficient to adequately protect the Department, a greater amount than stated above may be required, based on an estimate of the customer's anticipated usage for a customary billing period. The deposit amount (rounded to increments of \$5.00) shall be adequate to secure one billing period of usage; the minimum deposit amounts are listed in **Article IV** herein. (Ord. No. 97-400; 09-04-97)

(B) **Security for Payment - No Interest.** The deposits made under the provisions of this Chapter shall be held by the Village as security for the payment of utility services used by the applicant upon the premises to which his application pertains, and may be so applied when any default is made in the payment in the utilities bill in accordance with this Chapter. The depositor shall earn no interest.

(C) **Liability for Deposit.** The owner of the premises and the tenant thereof shall be jointly and severally liable to pay the required deposit herein established before water and sewer facilities shall be made available to the tenant-occupied premises. In the case a portion of the deposit is used as aforesaid, the tenant and/or owner of the premises shall immediately deposit with the Village Clerk an amount sufficient to bring the deposit to the established rate of deposit.

38-2-7 **EASEMENTS.** The Consumer shall grant a perpetual right of way easement with the right to erect, construct, install, and lay, and thereafter use, operate, read meters, inspect, repair, maintain, replace, and remove water and/or sewer transmission and distribution lines, meterboxes, meters, valves, and etc. across and through the land of the Consumer.

The Village by its officers, employees or contractors, at any time hereafter shall have access to and may enter upon said strip of land for the purpose aforesaid and may remove any obstruction and shall restore the surface of the ground to its original grade. For the purpose of construction, Village may enter upon adjacent property of Consumer with machines and equipment and pile earth and materials thereon, provided no damage is done. Village agrees, at Village's cost and expense, to restore the ground surface of the easement and any utilized

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adjacent areas to substantially the condition that existed prior to any disruption because of such laying, maintenance, and removal. The Village is not responsible to restore or replace removed obstructions such as mailboxes, planters, plants, trees, driveways, etc. built upon the easement. The Village covenants to maintain the easement in good repair so that no unreasonable damage will result from its use to the adjacent land of the Consumer.

The consumer will not plant any trees or place any permanent structures over said utility line so as to interfere with the access thereto. Said easement strips shall not be public right of ways and the property owner shall have the right to use said strip of land for any purposes which do not unreasonably interfere with the use, access to, and maintenance of the utility line and appurtenances so constructed. (Ord. No. 98-405; 03-19-98)

38-2-8 DISCONNECTION; DEMOLITION OF STRUCTURES. All costs and expenses incident to the proper disconnection and termination (capping) of water and/or sewer lines shall be borne by the owner. The owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the removal of the utility service(s).

The Village may elect to cap the utility(s) at the discretion of the Village Superintendent. The Village shall collect payment for materials and labor.

The Village Superintendent shall inspect all service caps not installed by the Village and the owner of the property will pay the prescribed inspection fee. When both water and sewer caps are to be inspected and both are inspected at the same time, **one (1)** inspection fee shall be collected for both inspections.

The water and sewer service cap location shall be at the discretion of the Superintendent; however, the caps should generally be located on the property within **ten (10)** feet of the property line. (Ord. No. 98-405; 03-19-98)

38-2-9 INDEPENDENT TAPS REQUIRED. Water and sewer taps may service no more than **one (1) lot**, except as allowed by the Village, there shall be provided at least **one (1)** water and/or sewer tap for the primary dwelling on each lot for which water or sewer service or both are desired. Taps shall not be shared between lots. (Also see Section 38-5-12) (Ord. No. 98-405; 03-19-98)

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ARTICLE III - WATER SYSTEM**DIVISION I - GENERAL REGULATIONS****38-3-1 APPLICATION FOR TAPS AND SERVICE CONNECTIONS TO THE WATERWORKS SYSTEM.**

(A) **Application Required.** An applicant desiring a water tap or service connection with the Waterworks System of the Village shall file a written application at the Village Hall, signed by the owner of the property for which the tap or service connection is desired, or by the duly authorized agent of such owner. In the event an agent makes the application for the owner, then the written authority of the owner shall also accompany the application to the agent for the making of the application.

(B) **Payment Shall Accompany Application.** The application shall be accompanied by water tap pre-payment and full deposit. Payment of the balance due for the tap shall be paid to the Village before service is started. When the pre-payment amount is larger than the tap-on fee and deposit, the difference will be refunded. See **Article IV** for fees. (Ord. No. 97-400; 09-04-97)

38-3-2 ALL SERVICE TO BE BY METER. All water service, whether for domestic, commercial or industrial use shall be metered. All meters shall be so placed and installed as to render the same accessible at all times for the purpose of reading or repairing and so as to be free from danger of freezing. Meters outside of a building shall be set in a suitable meter box approved by the Water Committee. Water shall not be turned on for new connections until the meter has been installed and all other requirements of this Chapter on the part of the property owner have been fully complied with.

38-3-3 INSPECTION.

(A) **Access to Premises.** The Village shall have access to all portions of the premises of the consumer at any reasonable time for inspection of the use of water and the consumer's pipe, fixtures, plumbing, and any other apparatus in any manner connected to the Waterworks System of the Village. The Village shall have the right and option to demand change or stopping of use or to require any repair, change, removal or improvement of any pipe, fixture, plumbing or other apparatus that would in any manner affect the water supply or system of the Village or the supply or fixtures of other consumers.

(B) **Meters to be Open to Inspection.** All water meters and water fixtures, connections and appurtenances on private property connected with the Waterworks System of the Village shall be open to the inspection of the proper officers and employees of the Village at all reasonable hours.

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38-3-4 **METER DAMAGED.** Whenever a meter is found to have been damaged by hot water being forced back into it from the consumer's hot water or heating apparatus or for any other cause within control of the consumer, the consumer shall pay the Village for the actual cost of the removal, repair, and replacement of the damaged meter and all previous water bills shall be corrected on an estimated basis to cover such period as it appears that the meter was out of order for such damage.

38-3-5 **VILLAGE NOT LIABLE FOR INTERRUPTION OF SUPPLY.** The Village shall have the right to shut off the supply of water whenever it is necessary to make repairs, improvements, enforce rules or as needed. Notice will be given to customers as circumstances allow, but in emergencies, the water may be shut off without notice. Such necessary work will be done as rapidly as may be practical and whenever feasible at such times as will cause the least convenience. The Village shall not be held responsible for or liable because of any shut-off of supply for any direct or resultant damages to any person, company, or to any pipe, fixtures, or plumbing.

Water for steam boilers, gas turbines, ice plants, or other industrial use, shall not be furnished by direct pressure from the mains, but only to tanks holding ample reserve supply. Should any equipment be supplied direct from mains, then in case of any shut-off of water, the Village will not be held responsible or liable for any direct or resulting damage because of interrupted supply, insufficient pressure, or otherwise.

Whenever water mains, pipes and service connections are taken up, shut-off or interfered with by reason of any Village street improvements, the Village will endeavor to maintain service so far as reasonably possible, but will not be directly or indirectly liable for any interruption, poor pressure, or damage of any kind to consumers, adjacent or to other consumers affected thereby.

The Village expressly stipulates with all its consumers and other persons that it will not insure or be responsible or liable in any manner for any losses, or damages, direct or resultant by reason of any fire, and all water service furnished shall always be conditional upon act of nature, inevitable accidents, fire, strikes, riots, war, or any other cause not within the reasonable control of the Village. (Ord. No. 97-400; 09-04-97)

38-3-6 **RESALE.** No water shall be resold or distributed by the recipient or consumer thereof from the Village supply to any premises other than that for which application has been made and the meter installed, except in cases of emergency.

38-3-7 **DISCONTINUING SERVICE – DANGEROUS USAGE.** The Village shall have the right to refuse water service or to discontinue water service, without notice, at any time to any consumer if the Village finds any apparatus or appliances, the operation of which will be detrimental to the water system of the Village or to any or all of its consumers. Standpipes, hydrants, gate valves and any other apparatus that cause water hammer or any danger to the water system or other customer's plumbing shall be immediately repaired or

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removed upon notice from the Village or, at its option, the Village may immediately discontinue service without notice and without any liability for direct or resulting damages therefrom.

38-3-8 **ELECTRIC GROUND WIRES.** All persons are strictly forbidden to attach any electric ground wire to any plumbing or water piping which is or may be connected to any water service pipe, water meter, or water main belonging to the Village.

The Village shall hold the owner of the premises responsible and liable for any damage to the property or injury to the employees of the Village caused by such ground wire. Any and all owners and consumers shall remove any existing ground wires immediately upon written notice from the Village. If not so disconnected **five (5) days** after notice, the Village, through its officials, may enter the property and remove such ground wires and the consumer shall pay all costs.

38-3-9 **WATER FOR BUILDING OR CONSTRUCTION PURPOSES.** Applicants desiring to use water from the Village Waterworks System for building or construction purposes shall make application therefor to the Superintendent on a form provided by the Water and Sewer Department for that purpose.

Upon a permit being granted, the service pipe shall be carried at the expense of the applicant to the inside of the curb line where a service cock and meter shall be placed with pipe leading to the surface and a faucet placed at the end thereof above the surface. When the building or construction is completed, the faucet and meter shall be removed and the water shut off unless permanent connection is made in accordance with the provisions of this Chapter. Charge for the use and connection of the meter shall be prescribed by the Superintendent.

38-3-10 **FIRE HYDRANTS.**

(A) All fire hydrants connected to the Village of St. Jacob's water system are owned and maintained by the Village of St. Jacob.

(B) The Village shall not be held liable and will not assume any responsibility for the condition of any fire hydrant inside or outside the Village Limits or the pressure or amount of water obtainable therefrom or any damage either direct or resultant because of the condition, pressure or amount of water available at any fire hydrant.

(C) All public fire hydrants located outside the Village Limits owned by the Village shall be maintained in as good order as reasonably possible, but the Village will not undertake or assume any responsibility or liability for their condition or use or abuse. Such public fire hydrants shall be used only for the purpose of extinguishing fires except when the Village may issue a special permit for their use to contractors who shall then be responsible for the hydrants and the use of water from them.

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38-3-11 **LAWN WATERING.** The right is reserved to suspend the use of lawn fountains and hoses for sprinkling lawns and gardens whenever, in the opinion of the Village, public exigencies require it.

38-3-12 **SHORTAGE AND PURITY OF SUPPLY.** The Village shall not be held responsible for or in any manner liable to any person, company, consumer or public body for any claim or damage, either direct or resultant because of any shortage of water supply, any shutoff of water for any reason, any bursting or leakage of either the consumer's or Village's mains, pipes and fixtures, any pollution or impurity in water supply or any fire or water damage.

38-3-13 **NON-COMPLIANCE WITH RULES AND REGULATIONS.** If any consumer fails to comply with any of the rules and regulations in force, the Village shall notify the consumer of such failure. If the consumer does not remedy the same as the rules provide and within a reasonable time, the Village shall have the right to discontinue service. Except in case of non-payment, emergency, necessity, or as otherwise provided, the Village will not discontinue service for violation of any rule until five (5) days after notice has been given and the violation has not been remedied.

38-3-14 **RESERVED.** (Ord. No. 98-405)

38-3-15 **USE OF WATER ON CONSUMER'S PREMISES.** The Village shall reserve the right to use the water from the consumer's facilities at any time deemed necessary. No charge shall be made by the consumer for the use of the facilities and no charge shall be made by the Village for the water used by the Village.

38-3-16 **REMOVAL OF METERS.** All meters shall remain the property of the Village and may be removed from the customer's premises at any time without notice for the purpose of testing and repairing the same or upon discontinuance of service. Upon discovery of any unlawful act by any customer, his agent, or employee herein prohibited or upon failure to comply with any other rules and regulations of the department, such service shall be discontinued by shutting off at the curb stop, removing the meter, or both. It shall be unlawful for any person to turn on service, to shut off service, or remove a meter except as directed by the Superintendent. (Ord. No. 97-400; 09-04-97)

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38-3-17 **RULES TO BECOME PART OF CONTRACT.** All of the rules and regulations concerning the use of the facilities of the water system and the consumption of water shall be adopted and the same shall become part of the contract with every water consumer and every water consumer shall be considered to take water from the Village, subject thereto and bound thereby. (Ord. No. 97-400; 09-04-97)

38-3-18 **INSTALLING AND MAINTAINING SERVICE LINES.**

(A) **Village Installs Water Tap.** The Superintendent shall have complete control of all phases of water tap installation including, but not limited to, labor, excavation, and complete installation of the tap, curb stop, yard mounted meter pit, meter, and landscaping. The curb stop shall be located near the tap between the tap and the meter.

The Village shall be responsible to maintain the tap through and including the curb stop and the meter installed, at the Village's expense. Any property found without a curb stop capable of shutting off the water shall have one installed or maintained as necessary at the Village's expense unless destruction of property has occurred. See Destroying Property in Article II. (Ord. No. 98-405; 03-19-98)

(B) **Owner Installs Service Lines.** The user shall be responsible for installation and maintenance of the service lines between the curb stop and the residence or business at the user's expense.

Such service lines shall be at least **three-fourths (3/4) inch** in diameter, and shall be installed at a minimum depth of **forty-two (42) inches** to the top of the pipe. Service lines must have a minimum working pressure rating of **160 psi at 73.4 degrees F** and must be constructed of one of the following types of materials: Copper, (Type K), polyvinyl chloride (PVC), polyethylene or polybutylene. Service lines shall not be covered until they are inspected and approved by the Superintendent.

The user shall not connect any service line or any plumbing connected with the service line with any other water source. The service line shall meet all the requirements of the Illinois Environmental Protection Agency's rules and regulations, the Illinois Plumbing Code, and the regulations in this Chapter. (Ord. No. 97-400; 09-04-97)

DIVISION II - CROSS-CONNECTION ADMINISTRATION.

38-3-19 **APPROVED BACKFLOW DEVICE.** All plumbing installed within the Village shall be installed in accordance with the Illinois Plumbing Code, 77 Ill. Adm. Code 890. If, in accordance with the Illinois Plumbing Code or in the judgment of the Superintendent, an approved backflow prevention device is necessary for the safety of the public water supply system, the Superintendent shall give notice to the water customer to install such an approved device immediately. The water customer shall, at his own expense, install such an approved device at a location and in a manner in accordance with the Illinois Plumbing Code, Illinois Environmental Protection Agency and all applicable local regulations, and shall have inspections and tests made of such approved devices upon installation and as required by the Illinois Plumbing Code, Illinois Environmental Protection Agency and local regulations.

38-3-20 **CROSS-CONNECTION PROHIBITED; EXCEPTION.** No person shall establish or permit to be established or maintain or permit to be maintained any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply enters the supply or distribution system of the Village, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Superintendent and the Illinois Environmental Protection Agency.

38-3-21 **INVESTIGATIONS BY SUPERINTENDENT.** It shall be the duty of the Superintendent to cause surveys and investigations to be made of commercial industrial and other properties served by the public water supply to determine whether actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated at least every **two (2) years** or as often as the Superintendent shall deem necessary. Records of such surveys shall be maintained and available for review for a period of at least **five (5) years**.

38-3-22 **RIGHT TO ENTER PREMISES.** The approved cross-connection control device inspector shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system for the purpose of verifying the presence or absence of cross-connections and that the Superintendent or his authorized agent shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system for the purpose of verifying information submitted by the customer regarding the required cross-connection control inspection. On demand, the owner, lessee or occupants of any property so served shall furnish to the Superintendent any information which he may request regarding the piping system or