

Chapter 66 UTILITIES

**Chapter 66 UTILITIES** [\[1\]](#)

ARTICLE I. - IN GENERAL

ARTICLE II. - COMBINED WATER AND SEWER SYSTEM

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FOOTNOTE(S):

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**Cross reference**— Administration, ch. 2; buildings and building regulations, ch. 18; businesses, ch. 22; solid waste, ch. 46; streets, sidewalks and other public places, ch. 50; storm and sanitary sewers, § 50-121 et seq.; water supply, § 50-161 et seq.; utilities on private easements, § 50-191 et seq.; subdivisions, ch. 54; required improvements for sanitary sewers, § 54-122; required improvements for stormwater runoff control, § 54-123; required improvements for water mains, § 54-124; required improvements for other utility services, § 54-128; electrical utility tax, § 58-31 et seq.; utility substations, § 70-471. [\(Back\)](#)

**ARTICLE I. IN GENERAL**

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**Secs. 66-1—66-30. Reserved.**

**ARTICLE II. COMBINED WATER AND SEWER SYSTEM**

DIVISION 1. - GENERALLY

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***DIVISION 1. GENERALLY***

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**Sec. 66-31. Application required.**

No person shall make any connection to the water mains or the sewer mains of the combined waterworks and sewer system of the village except upon written application to the village clerk or comptroller and following the issuance of a permit by such clerk or comptroller for such connection. Each application shall state the name of the applicant, the permit desired, the location to be used, and the fee to be paid. Each application shall contain such additional information as may be needed for the proper guidance of the village officials in the issuing of the permit.

(Ord. No. 96-1, § 1, 1-10-1996)

**Sec. 66-32. Signed permit necessary for connection.**

- (a) No connection shall be made with the waterworks and sewer system without the signed permit of the village clerk or comptroller. Any connections or opening made with the waterworks and sewer system without such signed permit or in any manner different from the mode prescribed for such opening or connection shall subject the maker to a penalty as provided in section 66-36.
- (b) Dwelling units of two or more apartments are required to have a meter installed with separate and distinct connection shut off boxes for each tenement, building or premises. Shut off boxes shall be located outside the building and at all times accessible. In the event of delinquency service will be shut off regardless of the number of units affected.

(Ord. No. 96-1, § 4, 1-10-1996; Ord. No. 2006-07, § 2, 12-13-2006)

**Sec. 66-33. Specifications and rules.**

The village is hereby authorized to make such rules and regulations consistent with this article for the connections to the waterworks and sewer system, specifying the types and sizes of pipes and all the other appurtenances and extensions thereto, and amend the same from time to time as may be deemed necessary. All service pipes and connections to the waterworks and sewer system shall comply with the specifications and rules for connection to the waterworks and sewer system or shall be subject to a penalty as provided in section 66-36.

(Ord. No. 96-1, § 5, 1-10-1996)

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**Sec. 66-34. Right of access for operation and maintenance of system.**

- (a) Employees of the waterworks and sewer system shall have the right of access to any premises served by the combined waterworks and sewer system for the purpose of reading water meters at the regular prescribed intervals or for the purpose of making inspections in order to maintain in good condition and provided for the protection of such combined system and the efficient management thereof. Where such inspections are not of an immediate or urgent nature, employees of the combined system shall arrange for appointments mutually convenient to the persons of the premises served and such employees. Any person refusing the right to permit the employees of the waterworks and sewer system the right of access to his premises shall be subject to cessation of utility services until the required opportunity to inspect is accorded the officers and employees of the village.
- (b) Any water meter found to be not functioning properly shall not relieve the user of the service of any and all rates or charges associated therewith. In such cases the usage rated shall be billed on the average of the last three billing periods. If the user has not resided upon the premises for at least three billing periods, the rate and charges shall be established in accordance with a national average usage per household with a similar number of residents.

(Ord. No. 96-1, § 6, 1-10-1996)

**Sec. 66-35. Enforcement of article provisions.**

A copy of this article, properly certified by the village clerk, shall be filed in the office of the county recorder, and shall be deemed notice to all owners of real estate of their liability for service supplied to any user of the service of the combined waterworks and sewer system of the village. The clerk and such other officers of this village shall take all action necessary or required by the laws of this village and shall take all action necessary or required by the laws of the state thereunto enabling to file all claims and liens for money due to the village and to prosecute and enforce such claims in the manner, form and time as permitted by the laws of the state.

(Ord. No. 96-1, § 7, 1-10-1996)

**Sec. 66-36. Penalty for violation of article.**

Any person, firm, corporation, association, agent or legal representative violating the provisions of this article shall be subject to punishment as provided in section 1-10 of this Code. A determination by a court that a violation of this article has taken place and the assessment of a penalty thereof shall not preclude the village from seeking a recovery of any unpaid charges, fees or other sums due the village under this article or other ordinances because of the furnishing by the village of its utility services.

(Ord. No. 96-1, § 8, 1-10-1996)

**Sec. 66-37. Termination of service.**

- (a) *Generally.* Any person found to be violating any provision of this article or any other ordinance affecting the use of the waterworks and sewer system, or who has any user charges remaining unpaid 30 days after being rendered and payable, shall be subject to termination of service.
- (b) *Nonpayment of user charges.* The village comptroller shall send notice by door tag and first class mail to the owner of the premises, occupant, and/or user of the service. The notice shall state the dates for which utility services were furnished and the amount presently due, including all additional charges.

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- (c) If the customer fails to pay the full amount of any all unpaid charges and fees within 15 days after date of delinquency/termination notice the customer will be assessed thirty-five dollars (\$35.00) penalty and water service will be terminated.
  
- (d) The delinquency/termination notice shall inform the customer of the following:
  - 1. The total amount of any unpaid charges, including the amount of the original bill for utility services and the 10% delinquent fee.
  - 2. The date by which the unpaid charges must be paid.
  - 3. That a penalty in the amount of thirty-five dollars (\$35.00) will be assessed if all charges are not paid in full by the stated date.
  - 4. That water service termination shall commence after fifteen days (15) days from the date of the delinquency/termination notice.
  
- (e) *Right of hearing.* An appeal to the village board of trustees shall be filed with the village clerk within 10 days of the date of the action from which the appeal is being filed. Thereafter, the village clerk shall forward to the village board of trustees a notice of appeal specifying the grounds thereof, and he shall forthwith transmit to the village board of trustees all papers constituting the record upon which the action appealed from was taken. The village board shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the parties and decide the appeal within a reasonable time. At the hearing, any party may appear in person or by agent or attorney. The village board, by a majority vote of those present, may affirm, or may reverse in whole or in part, or may modify any matter which is the subject of the appeal.

(Ord. No. 93-2, § VI, 9-12-1993, Ord. No. 2018-04/6-13-2018)

**Sec. 66-38. Reinstatement of service.**

- (a) *Payment of user charges.* Upon payment to the village of the full delinquency, plus the costs of termination \$35.00, and a \$35.00 reinstatement fee, and upon a deposit with the village in an amount equal to the estimated user charges for one quarter, the village will reinstate the service or issue a permit for the services to be reinstated. If a permit is issued to reinstate the service, the owner of the premises or the occupant and user of the service shall pay all costs necessary to reinstate the service, including inspection and supervision costs incurred by the village. The user shall continue to pay the charges assessed under this article by the village thereafter as billed, and after ten quarters or prompt payment of such charges with no delinquency in excess of 30 days, the deposit shall be refunded to the person having made such deposit without interest thereon. Upon payment of the fees and reinstatement of service, the village shall remove the red-tag from the building, and the building shall, so far as the village is concerned, be "fit for human occupancy."
  
- (b) *Correction of violation.* Upon correction of the violation and payment of the costs of termination \$35.00 plus a \$35.00 reinstatement fee, the village will reinstate the service or issue a permit for the service to be reinstated. If a permit is issued to reinstate the service, the owner of the premises or the occupant and user of the service shall pay all costs necessary to reinstate the service, including inspection and supervision costs incurred by the village. Upon payment of fees and reinstatement of service, the village shall remove the red-tag from the building, and the building shall, so far as the village is concerned, be "fit for human occupancy."

(Ord. No. 93-2, § VII, 9-12-1993)

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**Sec. 66-39. Filing regulations.**

A copy of this article, properly certified by the village clerk, shall be recorded in the office of the county recorder of deeds and shall be deemed notice to all owners of real estate of their liability for service supplied to any user of the service of the combined waterworks and sewer system of the village on their properties.

(Ord. No. 93-2, § X, 9-12-1993)

**Sec. 66-40. Shutting off water.**

Any user desiring for his convenience a shutting off of the water supply shall make application therefor to the village collector and a charge of \$15.00 shall be made for each act of shutting off or turning on the water at the request of any such user. Such shutting off of the water will not avoid the imposition of and the liability for the payment of the minimum charges elsewhere provided for in this article.

(Ord. No. 93-2, § XI, 9-12-1993)

**Sec. 66-41. Disconnecting service.**

Any person wishing to discontinue service shall give written notice thereto to the village prior to the expiration of the time for which payment has been made or becomes due and remaining unpaid; otherwise, he shall be liable for the charge for the ensuing quarter.

(Ord. No. 93-2, § XIII, 9-12-1993)

**Sec. 66-42. Inspections.**

The user of the water service or the occupant of the premises shall at all reasonable hours permit the village, and its agents or employees, to enter their premises for the purpose of inspecting the manner in which the water is taken and to inspect the meters, connections, pipes, and all other plumbing or mechanical systems connected therewith.

(Ord. No. 93-2, § XV, 9-12-1993)

**Sec. 66-43. Maintenance and repair responsibility.**

- (a) *Meters.* All meters are the property of the Village of Malta. If a meter is faulty, it will be replaced at the village's expense. If user neglect is determined (i.e. frozen or visible damage from tampering), it is the responsibility of property owner to pay costs associated with meter replacement and installation.
- (b) *Access.* All meters shall, after installation, be free of obstruction on and around same, and so placed and maintained as to at all times be convenient of access for the purpose of reading, inspecting and repairing during reasonable hours.
- (c) *Meter Testing.* Meters are replaced on rotation determined by the age of the meter. If a property owner requests a meter to be tested, a fee of \$75.00 is required. Said fee shall be used to pay for meter testing and service charges. If the meter is found to be operating in excess of 100 percent accuracy, the fee shall be refunded as a credit to the property owner's account.
- (d) *Plumbing fixtures.* Units supplied with water must keep all pipes, stop cocks, and fixtures in good repair and working order. Deduction shall not be made to any account due to any leak in pipes or fixtures.

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All plumbing and piping necessary to attach water meters to service boxes, shall be furnished, maintained and paid for by the property owner supplied with service.

- (e) *Water line responsibility.* Village is owner of the connection box and shall maintain connections from the connection shut off box to the water main. Property owner is responsible for maintaining all pipes and connections from the connection shut off box to and inside the property.
- (f) *Sewer line responsibility.* Village owns the wastewater mains and is responsible for the wastewater mains only. Property owner is responsible for any repairs or plumbing problems from the property to the wastewater main.
- (g) *Shut off.* In case of making repairs or construction of new mains, the village reserves the right to shut off water at once and keep it shut off as long as may be necessary to accomplish such repair or construction.

(Ord. No. 2006-07, § 1, 12-13-2006)

**Secs. 66-44—66-60. Reserved.**

***DIVISION 2. RATES AND CHARGES***

[Sec. 66-61. Established.](#)

[Sec. 66-62. Billing duties.](#)

[Sec. 66-63. Manner of billing for the use of the water and wastewater facilities.](#)

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[Sec. 66-71. Water and sewer impact and service charge; meter charge.](#)

[Secs. 66-72—66-90. Reserved.](#)

**Sec. 66-61. Established.**

Rates and charges shall be established for the use of and for the service supplied by the combined waterworks and sewer system of the village, based upon the amount of water consumed, as shown by the water meters as follows:

- (1) *Water service.* For each residential, commercial, municipal or school user of the water service of the combined waterworks and sewage system, the quarterly charge shall be as follows:
  - a. *Within the corporate limits.* For each user of the water service of the combined waterworks and sewage system of the village located within the corporate limits, there shall be a charge of \$3.50 per quarter for every 1,000 gallons of water used within that quarter. All water bills

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issued shall be subject to a positive adjustment annually using the increase, if any, in the most recent Consumer Price Index (CPI) or 3%. Such rate shall be implemented without need for further approval annually.

- b. *Outside the corporate limits.* Except as provided herein, for each user of the water service of the combined waterworks and sewage system of the village located outside of the corporate limits there shall be a charge of \$5.50 per quarter for every 1,000 gallons of water used within that quarter. All water bills issued shall be subject to a positive adjustment annually using the increase, if any, in the most recent Consumer Price Index (CPI). Such rate shall be implemented without need for further approval annually.
  - c. *Basic user charge.* There is hereby established a basic water user charge of \$15.00 per quarter for each unit; this includes without limitation each residential, commercial, industrial or school user served by the water system of the village. The funds provided by the basic user charge are to pay fixed expenses incurred in connection with the operation; maintenance and replacement of the system.
  - d. *Capital, debt and depreciation service charge.* There is hereby established service charge in the amount of \$17.50 per quarter for each unit; this includes without limitation each residential, commercial, industrial or school user served by the water system of the village. The funds provided by said service charges shall be allocated for the purpose of paying both principal and interest on outstanding bond indebtedness of the village, capital improvements and depreciation to the system. Annual rate increase shall be reviewed every year and subject to a 10% positive rate adjustment. Such rate shall be implemented without need for further approval annually.
- (2) *Sewer service.* For each residential, commercial, municipal or school user of the water service of the combined waterworks and sewage system, the quarterly charge shall be as follows:
- a. *Capital, debt and depreciation service charge.* There is hereby established a service charge in the amount of \$15.00 per quarter for each unit; this includes without limitation each residential, commercial, industrial or school user served by the sewage system of the village. The funds provided by said service charges shall be allocated for the purpose of paying both principal and interest on outstanding bond indebtedness of the village, and capital improvements, and depreciation to the system. Annual rate increase shall be reviewed every year and subject to a 10% positive rate adjustment. Such rate shall be implemented without need for further approval annually.
  - b. *Basic user charge.* There is hereby established a basic user charge of \$15.00 per quarter for each unit; this includes without limitation each residential, commercial, industrial or school user served by the sanitary sewage system of the village. The funds provided by the basic user charge are to pay fixed expenses incurred in the connection with the operation, maintenance and replacement of the system.
  - c. *Basic user rate.* All sewer usage, as determined by water meter readings or sewage flow meters shall be billed at the basic user rate of \$2.50 per 1,000 gallons each quarter period. Said rate shall apply equally to all users of the sewer service. Annual rate increase shall be reviewed every year and subject to a 10% positive rate adjustment. Such rate shall be implemented without need for further approval annually.

(Ord. No. 93-2, § I, 9-12-1993; Ord. No. 97-4, § 2, 4-23-1997; Ord. No. 2004-08, § 1, 12-8-2004; Ord. No. 2006-07, § 3, 12-13-2006; Ord. No. 2018-04/6-13-2018)

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**Sec. 66-62. Billing duties.**

It is hereby made the duty of the village comptroller, or any other party duly authorized, to render bills for service and for all rates and charges in connection therewith and to collect all monies due thereon.

(Ord. No. 93-2, § II, 9-12-1993)

**Sec. 66-63. Manner of billing for the use of the water and wastewater facilities.**

- (a) For the purpose of the operation of the combined wasteworks and sewer system, the calendar year shall be divided into four quarterly periods, each containing three calendar months, and such quarterly periods shall begin on January 1, April 1, July 1 and October 1 in each year. Such rates or charges, as provided for in this article, shall be payable quarterly.
- (b) The owner of the premises shall be solely liable for payment for all services provided to such premises by the village. All bills for service shall be rendered as of the tenth day of the month succeeding the period for which the service is billed, and shall be payable not later than the close of business on the tenth day of the following month. If payment is made after such 30-day period, then a late charge of ten percent of the amount of the bill, a thirty-five dollar (\$35.00) delinquent fee plus the costs associated with the mailing of all notices, including a \$10.00 administrative fee, shall be added thereto.

(Ord. No. 93-2, § III, 9-12-1993)

**Sec. 66-64. Overdue accounts; overdue notice.**

Whenever a bill for water charges and/or sewer service remains unpaid for 30 days after it has been rendered, the village comptroller shall send the owner of the property, for which such services remain unpaid, notice that a ten percent late charge has been added to the amount owed, and that such owner has 15 days from the date the bill was originally due in which to pay or make arrangements on the overdue amount, or face possible legal actions to recover the amount owed. If such account remains unpaid on the 16th day following the notice of delinquency, service will be disconnected. If the village is required to bring suit to collect the payment, the owner shall be liable for the total amount owed for water charges, sewer service, plus costs of suit and reasonable attorney's fees.

(Ord. No. 93-2, § IV, 9-12-1993; Ord. No. 97-4, § 3, 4-23-1997)

**Sec. 66-65. Lien; notice of delinquency.**

- (a) Whenever a bill for sewer service remains unpaid for 60 days after it has been rendered, the village 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 amount of the bill, as well as all charges subsequent to the period covered by the bill. If the user whose bill is unpaid is not the owner of the premises and the village comptroller has notice of this, notice shall be mailed to the owner of the premises, if his address is known to the collector, whenever such bill remains unpaid for the service of 60 days. The failure of the village comptroller to record such lien or to mail such notice or the failure of the owner to receive such notice shall not affect the right of the village to foreclose the lien for unpaid bills as mentioned in section 66-64.
- (b) In case a utility bill shall be paid after a lien has been filed against a property as noted above without the necessity of foreclosure, the property owner shall pay, in addition to the original bills, all cost incurred by the village for filing fees and other expenses connected with the procedure of filing liens.

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(Ord. No. 93-2, § V, 9-12-1993; Ord. No. 2006-07, § 4, 12-13-2006)

**Sec. 66-66. Disposition of revenues.**

- (a) *Water and sewer charges.* All revenues and monies derived from the operation of the combined waterworks and sewer system shall be held by the village collector separate and apart from his private funds and apart from all other funds of the village, and all of such sum, without any deductions whatsoever, shall be delivered to the village treasurer not more than ten days after receipt of the same, or at such more frequent intervals as may, from time to time, be directed by the president and board of trustees. All revenues and monies received by the village treasurer shall be held by the village treasurer separate and apart from all other funds of the village, and all of such sum, without any deductions whatsoever, shall be immediately deposited in separate funds and designated as the "Waterworks and Sewerage Fund of the Village of Malta," and the treasurer shall administer such fund in every respect in the manner provided by the applicable provisions of Division 139 of Article 11 of the Illinois Municipal Code, approved May 29, 1961, and all laws amendatory thereof and supplementary thereto. Such funds shall be segregated into such accounts as may be required but shall include a wastewater operation and maintenance account and a wastewater equipment replacement account. Funds in the replacement account shall be used solely for the replacement, repair or rehabilitation of the equipment of the wastewater facilities and shall be used at such times as deemed necessary by the village board.
- (b) *Tapping fees and other fees.* All revenues and monies derived from impact fees and tap-on fees shall be deposited in a water and wastewater improvement fund. Such fund shall be used solely for the improvement, extension or the betterment of the water and wastewater facilities.

(Ord. No. 93-2, § VIII, 9-12-1993; Ord. No. 2001-02, § 2, 3-28-2001)

**Sec. 66-67. Accounts.**

The village comptroller shall establish a proper system of accounts and shall keep proper books, records and accounts in which complete and correct entries shall be made of all transactions relative to the combined water and wastewater department, and at regular annual intervals he shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the combined water and wastewater department. In addition to the customary operating statements, the annual audit report shall also reflect the revenues and operating expenses, including equipment replacement costs, of the wastewater facilities to document compliance by the village with the state act for the user charge system. The annual audit shall include the amount of the debt service for the next succeeding fiscal year. Concurrently, with the preparation of the annual audit, the village shall prepare an operating summary of the wastewater facilities for the fiscal year including the following data and other such information as is deemed necessary:

- (1) Flow data showing total gallons received at the wastewater treatment plant for the current fiscal year.
- (2) Billing data to show the number of gallons of water and wastewater billed.
- (3) Pumping data to show number of gallons of water pumped.
- (4) The number of users connected to the water facilities.
- (5) The number of users connected to the wastewater facilities.
- (6) A list of nonmetered water users.
- (7) A list of users with private water supplies.

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- (8) A list of users with private wastewater supplies.
- (9) A list of users charged a surcharge with summary charges.
- (10) A list of users discharging industrial (nondomestic) wastes, including, for each user:
  - a. A total volume of wastewater for the fiscal year.
  - b. The total pounds of BOD and SS for the fiscal year.
  - c. An analysis of wastewater constituents other than BOD and SS.

(Ord. No. 93-2, § IX, 9-12-1993)

**Sec. 66-68. No free services.**

No free service of any of the services supplied by the combined waterworks and sewer system shall be supplied by the village to any other person, firm, organization or corporation, public or private.

(Ord. No. 93-2, § XIII, 9-12-1993)

**Sec. 66-69. Broken water meters.**

Following the determination that a water meter is not operating properly, the village shall, upon reasonable notice of not less than 15 days to the user of the water service or occupant of the premises in question, have the right to enter the premises and make necessary corrections or repairs. When a party given proper notice fails to respond or does not cooperate with the village in making necessary corrections or repairs, then the village, at its option, may terminate the water service to the premises. Service shall not be reinstated to the premises until all reinstatement fees as provided in section 66-38 have been paid.

(Ord. No. 93-2, § XIV, 9-12-1993)

**Sec. 66-70. Establishing impact fees.**

Pursuant to the authority granted in 65 ILCS 5/11-150-1, and upon the authority contained in other provisions of the state statutes, there is hereby established within the village a charge for connecting into the waterworks or sewer system, or combined systems of the village. Such charge is to be assessed against new or additional users of the sewage collection and treatment system or the water system of the village and shall be known as the connection charge. The charge shall be payable at the time a building or connection permit is issued.

(Ord. No. 96-1, § 2, 1-10-1996; Ord. No. 2001-02, § 3, 3-28-2001)

**Sec. 66-71. Water and sewer impact and service charge; meter charge.**

- (a) There is hereby established an impact fee for the water system in the amount of \$1,250.00. There is hereby established an impact fee for the sewer system in the amount of \$1,250.00. There is hereby established the charge of \$750.00 as a connection fee payable to the village for the metering equipment, software maintenance, inspections, meter installation and set-up of new accounts.

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- (b) There shall be a water meter charge of \$3.75 per quarter on each five-eighths inch to three-quarters-inch meter, \$6.25 per quarter on each one-inch meter, \$18.00 per quarter on each one and one-quarter inch to one and one-half-inch meter, and \$52.00 per quarter on each two-inch or larger meter.
- (c) There shall be a \$3.75 meter reader replacement and maintenance charge per quarter on all meters equipped with radio read technology.

(Ord. No. 96-1, § 3, 1-10-1996; Ord. No. 97-4, § 1, 4-23-1997; Ord. No. 2001-02, § 3, 3-28-2001; Ord. No. 2006-07, § 5, 12-13-2006, Ord. No. 2018-04/6-13-2018)

**Secs. 66-72—66-90. Reserved.**

***DIVISION 3. CROSS CONNECTION CONTROL***

[Sec. 66-91. Backflow prevention devices; installation.](#)

[Sec. 66-92. Water supply; connection.](#)

[Sec. 66-93. Surveys; records.](#)

[Sec. 66-94. Right of entry to inspect for cross connections.](#)

[Sec. 66-95. Discontinuance of water service; restoration; fees and costs; notice; liability of village.](#)

[Sec. 66-96. Liability of consumer for backflow contamination.](#)

[Secs. 66-97—66-120. Reserved.](#)

**Sec. 66-91. Backflow prevention devices; installation.**

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 state plumbing code or, in the judgment of the water operator, an approved backflow prevention device is necessary for the safety of the public water supply system, the water operator will give notice to the water customer to install such an approved device immediately. The water customer shall, at their own expense, install such an approved device at a location and in a manner in accordance with the state plumbing code, state 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 state plumbing code, state Environmental Protection Agency and local regulations.

(Ord. No. 96-5, § 1, 9-11-1996)

**Sec. 66-92. Water supply; connection.**

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 of the village may enter the supply or distribution system of such municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the water operator and the state Environmental Protection Agency.

(Ord. No. 96-5, § 2, 9-11-1996)

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**Sec. 66-93. Surveys; records.**

It shall be the duty of the water operator to cause surveys and investigations to be made of 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 years, or as often as the water operator shall deem necessary. Records of such surveys shall be maintained and available for review for a period of at least five years.

(Ord. No. 96-5, § 3, 9-11-1996)

**Sec. 66-94. Right of entry to inspect for cross connections.**

The water operator 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 of the village for the purpose of verifying the presence or absence of cross connections, and the water operator or their 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 of the village for the purpose of verifying information submitted by the customer regarding the required cross connection control inspection. On demand, the owner, lessees or occupants of any property so served shall furnish to the water operator any information which they may request regarding the piping systems or water use on such property. The refusal of such information, when demanded, shall, within the discretion of the water operator, be deemed evidence of the presence of improper connections as provided in this division.

(Ord. No. 96-5, § 4, 9-11-1996)

**Sec. 66-95. Discontinuance of water service; restoration; fees and costs; notice; liability of village.**

The water operator of the village is hereby authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this division is known to exist, and to take such other precautionary measures as they may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions have been eliminated or corrected in compliance with the provisions of this division, and until a reconnection fee of \$35.00 has been paid to the village. In addition, the water customer shall pay all costs necessary to reconnect the service, including any inspection and supervision costs incurred by the village. Immediate disconnection with verbal notice can be effected when the water operator is assured that imminent danger of harmful contamination of the public water supply system exists. Such action shall be followed by written notification of the cause of disconnection. Immediate disconnection without notice to any party can be effected to prevent actual or anticipated contamination or pollution of the public water supply, provided that, in the reasonable opinion of the water operator or the state Environmental Protection Agency, such action is required to prevent actual or potential contamination or pollution of the public water supply. Neither the public water supply, the water operator, or its agents or assigns shall be liable to any customer for any injury, damages or lost revenues which may result from termination of such customer's water supply in accordance with the terms of this division, whether or not such termination was with or without notice.

(Ord. No. 96-5, § 5, 9-11-1996)

Chapter 66 UTILITIES

**Sec. 66-96. Liability of consumer for backflow contamination.**

The consumer responsible for backsiphoned or backpressured material or contamination through backflow, if contamination of the potable water supply system occurs through an illegal cross connection or an improperly installed, maintained or repaired device, or a device which has been bypassed, must bear the cost of cleanup of the potable water supply system.

(Ord. No. 96-5, § 6, 9-11-1996)

**Secs. 66-97—66-120. Reserved.**

***DIVISION 4. DROUGHT RESTRICTIONS***

[Sec. 66-121. Regulation of consumption of water due to adverse weather.](#)

[Sec. 66-122. Drought conditions may necessitate water use ban for certain purposes.](#)

[Sec. 66-123. Enumeration of prohibited water uses.](#)

[Sec. 66-124. Exemptions; special use permits.](#)

[Sec. 66-125. Amendment of division provisions.](#)

[Sec. 66-126. Penalty for violation of division.](#)

[Sec. 66-127. Notice of liability for compliance with division provisions.](#)

**Sec. 66-121. Regulation of consumption of water due to adverse weather.**

From time to time it may become necessary to regulate the consumption of water by the inhabitants of the village due to extreme conditions which are present as a result of adverse weather suffered by this region.

(Ord. No. 88-1, § 1, 7-13-1988)

**Sec. 66-122. Drought conditions may necessitate water use ban for certain purposes.**

Under conditions of drought it may become necessary and imperative for the village to ban the use of water for any of the purposes enumerated in this division in order to effectuate the policy of this division.

(Ord. No. 88-1, § 2, 7-13-1988)

**Sec. 66-123. Enumeration of prohibited water uses.**

Upon notification by the village board of trustees that water restrictions are in effect, it shall be unlawful for any person to put water to use for the purpose of watering any lawn or for the purpose of washing or cleaning any vehicle including, but not limited to, cars, boats, recreational vehicles, or pleasure craft of any sort.

(Ord. No. 88-1, § 3, 7-13-1988)

Chapter 66 UTILITIES

**Sec. 66-124. Exemptions; special use permits.**

Any person or organization which desires any exemption from the provisions of this division may request a special use permit by making written application to the board of trustees. The board may, upon good cause shown, issue a temporary permit to allow such person or organization to use water in a manner otherwise prohibited by this division.

(Ord. No. 88-1, § 4, 7-13-1988)

**Sec. 66-125. Amendment of division provisions.**

The purposes set forth in this division which are affected by this division may be amended in any way as the president and board of trustees may deem necessary and proper.

(Ord. No. 88-1, § 5, 7-13-1988)

**Sec. 66-126. Penalty for violation of division.**

Any person who shall violate or fail, neglect or refuse to comply with any of the provisions of this division shall, upon conviction, be subject to punishment as provided in section 1-10 of this Code.

(Ord. No. 88-1, § 6, 7-13-1988)

**Sec. 66-127. Notice of liability for compliance with division provisions.**

A copy of this division, properly certified by the village clerk, shall be recorded in the office of the county recorder of deeds and shall be deemed notice to all persons of their liability for compliance with the provisions stated in this division.

(Ord. No. 88-1, § 7, 7-13-1988)