

VILLAGE OF HAMMOND
PIATT COUNTY, ILLINOIS

ORDINANCE #2014-3

"MUNICIPAL WATER SUPPLIED BY THE VILLAGE OF HAMMOND"

ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF HAMMOND THIS
8th DAY OF JULY, 2014

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County, Illinois, this 8th day of July, 2014

VILLAGE OF HAMMOND
PIATT COUNTY, ILLINOIS
ORDINANCE #2014-3
"Municipal Water Supplied by the Village of Hammond"

1. **Authority:**

The authority to impose regulations to restrict the use of water provided via the public water supply system shall be expressly reserved and may be amended from time to time, as necessary, by the Village President and the Village Board of Trustees.

2. **Purpose:**

This Ordinance establishes a Village Water Use Restriction Ordinance.

3. **Declaration of Policy:**

In the event that the Village determines that a period of high usage, water shortage, or water emergency exists and an imminent or actual public water supply disruption or shortage is likely, the Village shall take measures appropriate to efficiently safeguard the safety and health of the general public or to provide for the public convenience. The use of the public water supply system water in the Village, or in any portion thereof, for irrigation, cooling, watering, or other uses may be forbidden, restricted, or regulated and such regulations may be made effective as to all persons using the public water supply system water or as to particular classes of public water supply system users. Rationing may be imposed to address an imminent or actual public water supply disruption or shortage, either in lieu of or in addition to other measures hereby authorized.

4. **Definitions:**

Drip Irrigation System: An irrigation system that saves water by allowing water to drip slowly to the roots of plants, either onto the soil surface or directly onto the root zone. Such systems include, but are not limited to, soaker hoses.

Even Number Address: Street address ending in 0, 2, 4, 6, 8 or a letter 'A' - 'M', or a location without an address.

Handheld Watering Device: A means of watering that requires the watering device to be held in order to operate, including watering cans, buckets, and hoses equipped with a spray nozzle and automatic shut off valve. Such a hose is a handheld watering device provided it is continuously attended.

Harvested Rainwater: Water accumulated and stored during times of precipitation, such as through rain barrels and cistern systems, which is prevented from entering the storm water treatment system, and is redirected for reuse onsite.

High Usage: Period of time during which public water system demand or public water supply equals or exceeds Village water system treatment production capacity and potentially threatens system storage capacity and the continued availability of water for human consumption, sanitation, and/or fire protection.

Landscape: The area of the property planted with vegetation other than grass.

Lawn: The area of the property planted with grass.

Lawn Sprinkler: A device attached to a hose designed to allow for the unattended watering of lawns or landscaping, but does not include a drip irrigation system.

Lawn Watering: Any means or methods of applying water to a lawn.

Non-Essential Water Uses:

- washing down sidewalks, walkways, driveways, parking lots, tennis courts, or other hard surface areas
- washing down buildings or structures for purposes other than immediate fire protection
- flushing gutters or permitting water to run or accumulate in any gutter or street
- washing any motor bike, motor vehicle, boat, trailer, airplane, or other vehicle, except for public emergency vehicles
- maintaining fountains, reflection ponds, and decorative water bodies for aesthetic or scenic purposes
- filling or maintaining fill levels in public or private swimming and wading pools
- watering lawns, plants, trees, and other flora on private or public property, except as otherwise provided under this Ordinance
- serving water routinely in restaurants
- increasing water levels in scenic and recreational ponds and lakes
- irrigating golf courses except greens, tees, and fairways
- obtaining water from hydrants for any purpose other than firefighting

Odd Number Address: A street address ending in 1,3,5,7,9 or a letter 'N' - 'Z'.

Person: Any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents, or assigns.

5. Application of Regulations

The provisions of this Ordinance shall apply to any person using water within the Village, and

- a) the property is supplied by the Village's public water supply system, regardless of whether the property is located within the municipal boundaries of the Village; and
- b) the property is located within the specific area identified in the Alert or Declaration.

Emergency service providers in the act of providing emergency service shall be exempt from provisions of this Ordinance.

6. Declaration of Water Use Restrictions, Implementation, and Termination

It shall be the duty of the Water Superintendent to report to the Village President conditions that may adversely affect the Village water supply, with an explanation of the need for a Level 1 Voluntary Water Use Restriction Alert, Level 2 Mandatory Water Use Restriction Declaration, or Level 3 Emergency Water Use Restriction Declaration. Upon receiving such notification, and within 24 hours or on the next business day, the Village President, or any designee, shall:

- a) declare or rescind a Level 1 Voluntary Water Use Restriction Alert; or
- b) recommend to the Village Board of Trustees that:
 - i. a Level 2 Mandatory Water Use Restriction Declaration or a Level 3 Emergency Water Use Restriction Declaration be declared or rescinded; or
 - ii. a change to or from a Level 2 Mandatory Water Use Restriction Declaration or Level 3 Emergency Water Use Restriction Declaration is declared.

Upon the declaration of, or upon the rescinding of, a Level 1 Voluntary Water Use Restriction Alert, Level 2 Mandatory Water use Restriction Declaration, or Level 3 Emergency Water Use Restriction Declaration, the Village President, or any designee, shall take actions necessary to notify all public water supply users and the general public of the appropriate response actions and practices, including, but not limited to, notifying broadcast media outlets and emergency alert messaging systems as appropriate.

Mandatory water use restriction provisions shall take effect immediately upon the issuance of public notification of a Level 2 Mandatory Water Use Restriction Declaration, or Level 3 Emergency Water Use Restriction Declaration.

7. Water Use Restrictions

The Village establishes three levels of water use restrictions to address an imminent or actual public water supply disruption or shortage, as indicated in Table 7.1. The water use restriction levels are based on measurements which include: water supply, water demand, and water system conditions such as days of remaining storage, water demand as a percent of supply, or water quality indicators.

Table 7.1 Description of Water Use Restriction Levels

Level 1 Voluntary	Conditions indicate potential for public water supply shortages. Voluntary water conservation is encouraged.
Level 2 Mandatory	Water supplies are measurable lower than the seasonal norm and are diminishing. Mandatory restriction measures are imposed.
Level 3 Emergency	The public water supply system is experiencing a water shortage; treated water supply is clearly inadequate and more stringent restriction measures must be imposed.

Level 1 Voluntary Water Use Restriction Alert - During a Level 1 Voluntary Water Use Restriction Alert, the following voluntary actions by all person (residential, institutional, commercial, and industrial) are recommended, but not mandated:

- a. Stop non-essential water uses.
- b. Use rain barrels to collect and store water from roof drains, and use this water for garden irrigation and lawn irrigation.
- c. If watering a lawn, set timers to run the system before 10:00 am or after 5:00 pm to reduce water loss through evaporation during the heat of the day.
- d. Use drip irrigation hoses to water garden plants and landscape plants, trees, and shrubs at the roots.
- e. Install water- and energy-efficient appliances.
- f. Wash dishes and clothes only when appliance is full.
- g. Regularly check and repair toilets, faucets, water pipes, and outdoor hoses for leaks.

Level 2 Mandatory Water Use Restriction Measures - During a Level 2 Mandatory Water Use Restriction Declaration, all persons (residential, institutional, commercial, and industrial) shall adhere to the following required public water supply system water use restrictions:

- a) All persons shall cease non-essential water uses.
- b) All persons shall adhere to the following schedule if a lawn is to be watered:
 - i. All properties with an even-number address may use water for lawn watering only on even numbered calendar dates between the hours of 6:00 am and 9:00 am or between the hours of 6:00 pm and 9:00 pm.
 - ii. All properties with an odd-number address may use water for lawn watering only on odd numbered calendar dates between the hours of 6:00 am and 9:00 am or between the hours of 6:00 pm and 9:00 pm.

During a Level 2 Mandatory Water Use Restriction Declaration, there shall be no restrictions as to hours or days when water may be used for any of the following:

- a) the watering of sod on the initial day of sod installation;
- b) lawn watering where such watering is done using harvested rainwater;
- c) the watering of landscape, such as trees, shrubs, flowers, and gardens, with a handheld hose not larger than one-inch diameter or by means of an automatic root feed or drip irrigation system;
- d) lawn watering where such watering is done with the proper, attended use of a handheld watering device;
- e) vehicle or equipment washing, provided that all water hoses in use are equipped with an automatic shutoff valve or spray nozzle which shuts off automatically; or
- f) any other lawful use of water such as bathing, clothes washing, or other normal household uses not otherwise specifically restricted by the provisions of this section.

Level 3 Emergency Water Use Restriction Measures-During a Level 3 Emergency Water Use Restriction Declaration, all persons (residential, institutional, commercial, and industrial) shall adhere to the following required public water system water use restrictions:

- a) All person shall cease non-essential water uses.
- b) The use of automatic water sprinklers and other remote water broadcast devices shall be prohibited.
- c) The use of aesthetic fountains that do not operate on recycled water shall be prohibited.

- d) Persons shall be prohibited from using public supply water to fill swimming pools, water slides that do not recycle, or for other related recreational water consuming activities.

8. Variance

A person may request an administrative variance from a mandatory Level 2 or Level 3 water use restriction requirement from the Village President, or designee, on a form provided for that purpose within seven days after such restriction becomes effective, provided that compliance with such mandatory water use restriction would result in serious health, safety, or economic hardship to that person or to the public.

In order for an administrative variance to be granted, the petitioner must show one or more of the following conditions:

- a) Compliance with the Ordinance cannot be technically accomplished within the duration of the water use restriction declaration.
- b) Alternate methods can be implemented which will achieve the same level of reduction in water use.

Any such administrative variance so ratified may be revoked by later action of the Village President or designee.

Any such administrative variance denied or subsequently revoked by the Village President, or designee, may be appealed to the Village Board of Trustees at a public hearing.

- a) No such variance shall be retroactive or otherwise justify any violation of this Ordinance occurring prior to the issuance of the variance.
- b) A fee of \$50.00 shall be paid to the Village to offset costs of providing notice of the public hearing.
- c) A variance granted by the Village Board of Trustees shall be subject to the following conditions, unless waived or modified by the Village Board of Trustees:
 - i. Variances granted shall include a timetable for compliance.
 - ii. Variances granted shall expire when the water use restriction declaration has been rescinded, unless the petitioner has filed to meet specified requirements.

9. Violation and Penalty

It shall be the duty of the Water Superintendent, or designee, to investigate violations of the mandatory restrictions and to issue and post a Notice of Violation consistent with the purpose and intent of this subchapter.

Any person who violates, disobeys, neglects, fails to comply with, or resists enforcement of the mandatory provisions of this Ordinance shall be subject to penalty or a combination of penalties as follows:

- a) Discontinuance of Service
 - i. Following posting of an initial Notice of Violation, as indicated above, the Village may issue a Notice of Intent to Disconnect Water Service to any structure or parcel in violation of any mandatory Level 2 or Level 3 restriction. Once such Notice of Intent to Disconnect Water Service is posted, unless the violation has

ceased voluntarily within 24 hours, the water service to the structure or parcel in violation shall be disconnected.

- ii. When water service is discontinued pursuant to the provisions of this section, water service shall not be reinstated unless the Village President, or designee, upon recommendation of the Water Superintendent, determines that the risk to the Village water supply has been alleviated. The person whose water service is discontinued shall reimburse the Village for all costs incurred to discontinue and re-establish water service before the water service is reinstated.

b) Penalty

Any person who violates any mandatory provision of this Ordinance shall be subject to the following administrative penalties:

First violation	\$50.00 per occurrence
Second violation	\$100.00 per occurrence
Third violation	\$200.00 per occurrence

Each day upon which there is a violation shall be deemed to be a separate occurrence. Payment of said administrative penalty shall be made to the Village within 10 days of receipt of the Notice of Violation. If no payment is made within 10 days, then said administrative penalty shall be added to the next monthly utility billing for the location where the violation occurred.

10. **Severability**

In the event that any portion of this Ordinance is held to be unconstitutional for any reason, the remaining portions of the Ordinance shall not be affected. The provisions of this Ordinance shall prevail and control in the event of any inconsistency between this Ordinance and other rules and regulations of the Village and/or State of Illinois.

Passed by the Board of Trustees of the Village of Hammond, Piatt County, Illinois, this 8th day of July, 2014, by the following roll call vote:

AYES: 4

NAYS: 0

ABSENT: 1

Brenda Sebens
Village Clerk, Village of Hammond
Piatt County, Illinois

Approved by the President of the Board of Trustees of the Village of Hammond, this 8th day of July, 2014.

Michael Chappell
President, Board of Trustees
Village of Hammond, Piatt County, Illinois

ATTEST:

Brenda Sebens
Village Clerk