

VILLAGE OF HAMMOND  
PIATT COUNTY, ILLINOIS

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ORDINANCE #2023-13

“AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE  
WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY  
WELLS OR BY ANY OTHER METHOD”

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ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF HAMMOND THIS  
13th DAY OF December, 2023

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Published in pamphlet form by authority of the Village Board of the Village of Hammond, Piatt  
County, Illinois

ORDINANCE NUMBER: 2023-13  
AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE  
WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY  
WELLS OR BY ANY OTHER METHOD

Section 1. Use of groundwater as a potable water supply is prohibited. The use or attempt to use as a potable water supply, groundwater by the installation or drilling of wells or by any other method by private entities or individuals is hereby prohibited. This section does not apply to activities by the Village of Hammond itself.

Section 2. Summary Abatement. Whenever, in the opinion of the Village, the maintenance or continuation of a nuisance creates an imminent threat of serious injury to persons or serious damage to real or personal property, and the continuation of the nuisance poses a substantial threat of injury to persons or property, the Village may proceed immediately and summarily to abate such nuisance.

Section 3. Penalty. Any person, firm, or corporation violating any provisions of this Ordinance shall be notified as follows:

1. Place phone call to homeowner notifying them of the violation on their property and giving them 10 days in which to fix the violation.
2. If compliance is not met in the 10 days, a non-certified letter will be sent reiterating the violation that needs to be corrected. Allow another 10 days.
3. If compliance is still not met, a certified violation letter is mailed to the homeowner. The first fine will be charged at this time for non-compliance and due within 10 days. The fine structure is as follows:
  - 1st Offense: \$180.00
  - 2nd Offense-committed within 12 months of any prior offense: \$330.00
  - 3rd Offense-committed within 12 months of any prior offense: \$580.00

Each day that a violation continues beyond the 10-day notice period described above shall constitute a separate offense.

Notice shall be deemed to be properly served by:

- Depositing the notice in U.S. mail, prepaid first-class postage regardless of whether the addressee accepts or refuses delivery; or
- Personal service; or
- Posting of notice upon property.

Section 4: Definitions.

For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

“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.

“Potable water.” Any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing food.

Section 5: Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed insofar as they are in conflict with this ordinance.

Section 6: Severability.

If any provision of this ordinance or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of the ordinance as a whole or of any portion not adjudged invalid.

Section 7: Effective Date.

This ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law.

Passed this 13<sup>th</sup> day of December, 2023

AYES: 4

NAYS: 0

ABSENT: 2

ATTEST:  
Brenda Sebens  
Village Clerk

Marsha Burgener  
Village President

State of Illinois                    )  
   ) ss.  
 County of Piatt                    )  
 Certificate of Publication        )

I, Brenda Sebens, certify that I am the duly appointed and acting Municipal Clerk of the Village of Hammond, Piatt County, Illinois.

I further certify that on December 13, 2023, the Corporate Authorities of such municipality passed and approved Ordinance #2023-13, entitled, “An Ordinance Prohibiting the Use of Groundwater as a Potable Water Supply by the Installation or Use of Potable Water Supply Wells or by Any Other Method”, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance #2023-13, including the Ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted in the municipal building commencing on December 14, 2023 and continuing for at least 10 (ten) days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

Dated at Hammond, Illinois, this 13th day of December, 2023.

(SEAL)

Brenda Sebens  
 Municipal Clerk