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ORDINANCE NO. 2023-2

AN ORDINANCE TO ESTABLISH

RULES, RATES AND REGULATIONS

FOR THE OPERATION OF THE

LITTLE SWAN LAKE SANITARY DISTRICT

WATER SYSTEM

INDEX

RULES, RATES AND REGULATIONS

FOR THE

LITTLE SWAN LAKE SANITARY DISTRICT  
WATER SYSTEM

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BE IT ORDAINED, by the Board of Trustees of LITTLE SWAN LAKE SANITARY DISTRICT, Avon, Illinois, as follows:

SECTION 1. Application for Service

Water service shall be furnished to District users, or approved out of District users, upon filing of an application and water user's contract with the Secretary of the District upon a form to be supplied by the District.

SECTION 2. Initial and Minimum Charges Whether Water Used or Not

The rates as shown in the rate schedule in Section 8 of this ordinance shall be paid by each customer, who has signed a water user's contract, beginning at the time the District makes the service connection to the customer.

There shall be a \$350.00 tap-on-fee, for connecting the service to each property in which an application and water user's contract has been filed, which must be paid prior to the connection to the system.

SECTION 3. District's Responsibility and Liability

- A. Ownership, Installation and Maintenance. The District shall own and maintain the complete water system including the water mains. Service lines from the point of the curb stop to the end user (i.e. the dwelling) shall be owned and the responsibility of the property owner. The District will own and maintain the line from the tap up to and including the curb stop.
- B. Refusal of Service. The District may at any time refuse additional service to any applicant if in the judgment of the Board of Trustees the capacity of the system will not permit such use.
- C. Liability. All water service supplied by the District shall be upon the express condition that the District shall not be liable nor shall any claim be made against it for damages or injury caused by reason of shutting off of water for repair, relocation, termination of service or expansion of any part of the system, or failure of any part of the system or for concentration of water for such purposes as firefighting or restricted use of water.
- D. Use of Water on User's Premises. The District shall reserve the right to use the water from the user's facilities at any time deemed necessary. No charge shall be made by the user for the use of these facilities and no charge shall be made by the District for the water used by the District.

SECTION 4. User Responsibility for:

- A. Connections and Specifications



## I. WATER CONNECTION SERVICE; PERMITTEE.

(A) In all cases the tapping of the main and installation of the service pipes and all extensions, alterations or repair of any service pipe or fixture between the main and the dwelling shall be performed by a licensed plumber at the expense of the applicant or owner of the premises. The piping, fittings, and appurtenant equipment used and the methods used to install same shall be as described in this Section 4., and in compliance with Little Swan Lake Sanitary District Regulations and Material Specifications, as may be amended from time to time. Piping, fixtures and appurtenances between the dwelling and the water main found in improper condition shall be repaired, if deemed necessary by the Sanitary District, at the expense of the owner of the premises. In installing a water service the licensed plumber will tap the main, inserting a stop valve which shall be known as the corporation valve and shall lay the service pipe from the main to the dwelling. The service pipe shall be laid in the trench sufficiently weaving to allow not less than one foot extra length in its entire length. A curb stop valve shall be installed for each service at a location as near the property line, as possible, but on the public right of way. A service box shall be and installed over the curb stop valve installed where normally it is not exposed to vehicular traffic and held in a truly vertical position, until sufficient backfill has been placed to insure permanent vertical alignment of the box. The top of all service boxes shall be adjusted and set flush with the established ground surface grade. All new installations must be inspected by the District, or its approved agent, prior to backfilling the excavation.

(B) Any curb stop valve installed, prior to the adoption of this ordinance that does not meet the location requirements of the above paragraph may be moved at the discretion of the District. The District will pay the costs of correcting the location.

## II SERVICE PIPE SPECIFICATIONS.

(A) All service pipes shall have a minimum diameter of at least one (1.0) inch tubing size and a maximum of one and one-half (1.5) inches and shall be one of the following types:

(1) Copper service pipe conforming to the requirements as defined in the current edition of the "Standard Specifications of Water and Sewer Main Construction in Illinois" published by the Illinois Society of Professional Engineers, the Illinois Municipal League, and others.

(2) Polyethylene (PE) tubing conforming to the requirements of ASTM D3350 and ASTM D2737, pressure class of 200 psi minimum rating,

with a minimum Dimension Ratio of SDR9, NSF listed, with an outside diameter equal to copper tubing in size. To enable future location of the buried PE tubing, an insulated copper wire, minimum #12 gauge shall be installed above the PE tubing in the same trench. The copper wire shall be electrically continuous between the tap and the meter and shall include an 18 inch whip in the curb box. PE tubing shall be placed in a bed of sand three inches deep, and covered with a minimum depth of six inches of sand. Said sand shall be free of rocks or other objects which could cut, deform, or otherwise cause physical damage to the PE tubing. All joints made in PE tubing shall be compression fittings with stainless steel stiffeners.

- (3) The length of Type K copper service pipe, or PE tubing, between the water main and the curb stop valve, and between the curb stop valve and the water meter shall be single pieces of pipe or tubing with no joints or unions installed therein. For new, or replacement service installations, an exception to this requirement is allowed only if the distances involved are larger than the manufacturer's normally available lengths of continuous pipe. For repairs to an existing water service no more than two repair clamps, or other fillings installed to stop a leak, shall be allowed in the piping between the meter spacer and the curb stop valve. All repairs to water service piping between the meter spacer and the curb stop valve shall be carried out by a licensed plumber and inspected by the Sanitary District. No repaired water service shall be turned on unless said repairs have been inspected and approved by the Sanitary District.
- (B) Each separate piece of property, lot, or building being furnished water shall have at least one service pipe running from the water main to such piece of property, lot, or building. A separate piece of property for this section shall be defined as any property with its own parcel identification number as assigned by the Warren County, Illinois Assessor's office.
- (C) When copper service pipe is used, all joints in said pipe and fillings from the water main to, and including, the outlet side of the water meter, shall be mechanical joints. The minimum amount of service pipe protruding on the interior side of the wall or floor shall be six inches, to allow adequate pipe to which to connect the meter.
- (D) Any request for a service line of 2 inch or greater will be subject to review by the Sanitary District and said request shall include complete material specifications subject to Table A, Appendix A, Section 890 of the December of the December 1993 edition of the Illinois Plumbing Code, or current revision of the Illinois Plumbing Code and "Standard Specifications for Water and Sewer Construction in Illinois" published by the Illinois Society of Professional Engineers, the Illinois Municipal League, and



others. The request shall also include project water usage. The Sanitary District reserves the right to refuse service based on the ability of the district to supply the volume of water requested.

### III LAYING, REPAIRING SERVICE PIPES.

- (A) In putting down and repairing pipes, the roadway shall be opened in the manner which will occasion the least inconvenience to the public and admit the uninterrupted passage of water along the gutter of the street. Written permission must be received from the entity owning the roadway prior to the roadway being opened or bored. A copy of such written approval must be provided to the District prior to the start of work. No excavation in any street or other public place shall be left open overnight except by the permission of the Sanitary District, and every precaution shall be taken to insure public safety. The streets and pavement shall be restored to as good condition as it was in previous to making the excavation using methods and procedures in compliance with the "Standard Specifications for Water and Sewer Construction in Illinois" published by the Illinois Society of Professional Engineers, the Illinois Municipal League, and others. All dirt and rubbish shall be immediately removed after the completion of the work.

### IV SIZE AND LOCATION OF TAPS.

- (A) Taps of water mains for service connections shall not exceed the size and spacing as recommended by the manufacturer of the water main. In cases where larger taps would be required, a tee will be installed in the water main.

### V PIPES ON OUTLET SIDE.

- (A) To allow installation and replacement of future water meters, direct connections to inlet or outlet ports on the water meter spacer shall be a meter union fitting, approved by the Little Swan Lake Sanitary District. The piping connected to the union fitting on the outlet side of the meter spacer may be of such kind as the consumer may direct, but all plumbing must be in compliance with the State of Illinois Plumbing Code. Shut off valves shall be installed by the owner on both sides of the meter unions. The Sanitary District will supply the meter spacer.

### VI WATER CONNECTIONS OUTSIDE THE DISTRICT LIMITS.

- (A) Existing water service lines outside of the District.
  - (1) If there is an existing agreement that allows a property owner outside of the Sanitary District to connect to the public water system the

agreement shall be followed. The existing connections outside the District are located at 1201 Kramer Road, 1211 Kramer Road, 1274 Kramer Road 1280 Kramer Road and 1290 Kramer Road.

(2) For any new property owner outside the District who connects, or is connected, to the District's water service after September 9<sup>th</sup> 2020 a signed agreement between the District and the owner must be completed prior to approval of the District providing water service. September 9<sup>th</sup> 2020 was the adoption of Ordinance No 2020-2 establishing the required agreement. This agreement must include, but not limited to the following conditions:

- The owner agrees to follow all terms of the Ordinance and any further modifications/amendments.
- The owner agrees they will comply with all current and future EPA regulations and will make any necessary corrections as required.
- In the event the District issues an assessment on the property owners within the District, the owners agree the District may file a lien on their out of District property under the same terms and conditions as the property owners within the District.
- The signed agreement is binding on all current and future owners of the property. If any future owners do not agree to the terms and conditions, the District may discontinue providing water service.
- The owner agrees the District may file a copy of this agreement with the Office of the Warren County Clerk, Warren County, Illinois

B. Easements. The user shall give such easements and rights-of-way as necessary to the District and allow access for the purposes of construction, repair, maintenance, meter reading, relocation or expansion of the water system. The necessity shall be determined by the Board of Trustees.

C. Damage to District Property. No user shall tamper, adjust, damage, or in any manner interfere with the components or operations of the water system owned by the District. The shutoff valve shall be opened only by a duly authorized representative of the District. Penalty for tampering, damaging, adjusting, or in any manner interfering with the components or operation of the system shall be up to \$1,000.00 payable to the District. If the penalty is not paid within 30 days after the amount is determined, the District shall discontinue the water service. The amount of penalty shall be determined by the Board of Trustees.

In addition to the penalty the user responsible shall reimburse the District for the actual cost of repairing any damage arising from the users act. Users shall report any known evidence of tampering, adjusting, damaging or interference with the operation of the system, owned by the District to the President of the Board of Trustees. Any malicious act or damage to the system that is not



appropriately punishable by the foregoing shall be prosecuted through a court of law.

D. Specified Uses of Water. Water purchased from the District may be used for ordinary domestic household use upon the premises of the user provided:

(1) No user shall resell or permit the resale of water purchased from the District.

E. Separate Unit Defined. Each dwelling, apartment or any other approved structure or facility that is connected to the water system, located outside and separate from a separate piece of property, is a separate unit. The user must make application for service for each separate unit, and the user shall pay the minimum monthly rate and other rates and fees herein established for each separate unit. A separate unit for this section shall be defined as any unit with its own parcel identification number as assigned by the Warren County, Illinois Assessor's office.

For purposes of this section the following definitions apply:

Dwelling: Single family living unit.

Apartment: Single family living unit that may be an individual living unit or part of a multiple family living complex.

F. Cross-Connections.

(1) Definitions. For the purpose of this subsection the following definitions shall apply:

(a) "Backflow" shall mean water of questionable quality, wastes or other contaminants entering a public water supply system due to a reversal of flow.

(b) "Cross-Connection" shall mean a connection or arrangement of piping or appurtenance through which a backflow could occur.

(c) "Safe Air Gap" shall remain the minimum distance of a water inlet or opening above the maximum high water level or overflow rim in a fixture, device or container to which public water is furnished which shall be at least two times the inside diameter of the water inlet pipe; but shall not be less than two inches and need not be more than twelve inches.

(d) "Secondary Water Supply" shall mean a water supply system maintained in addition to a public water supply, including but



not limited to, water systems from ground or surface sources not meeting the requirements of Act No. 98 of the Public Acts of 1913, as amended being Sections 325.201 to 325.214 of the Compiled Laws of 1949, or water from a public water supply which in any way has been treated, processed or exposed to any possible contaminant or stored in any other than an approved storage facility.

(e) “Submerged Inlet” shall mean a water pipe or extension thereto from a public water supply terminating in a tank, vessel, fixture or appliance which may contain water of questionable quality, waste or other contaminate and which is unprotected against backflow.

(f) “Water Utility” shall mean the District.

(2) Cross-Connections Prohibited. Cross-connection of public water supply systems and any other water supply system or source including, but not limited to, the following are prohibited:

- (a) Between a public water supply system and a secondary water supply.
- (b) By submerged inlet.
- (c) Between a lawn sprinkling system and the public water supply system.
- (d) Between a public water supply and piping which contain sanitary waste or a chemical contaminant.
- (e) Between a public water supply system and piping immersed in a tank or vessel which may contain a contaminant.

(3) Cross-Connection Control Program. The water utility has adopted the Illinois Environmental Protection Agency Standards and Requirements for the elimination and prevention of all cross-connections, and removal of all existing cross-connections and preventions of all future cross-connections.

(4) Corrections and Protections Devices. Any user of the water utility water shall obtain written approval from the water utility of any proposed corrective action or protective device before using or installing it. The total time allowed for completion of the necessary corrections shall be contingent upon the degree of hazard involved and include the time required to obtain and install equipment. If the cross-connection has not been removed within the time as hereinafter specified, the water utility shall physically separate the water-system from the on-site piping system in such manner that the two systems cannot be connected by any unauthorized person.

(5) Piping Identification. When a secondary water source is used in addition to the water supply, exposed water utility water and secondary water

pipings shall be identified by distinguishing colors or tags and so maintained that each pipe may be traced readily in its entirety. It will be necessary to protect the water utility water supply at the service connection in a manner acceptable to the water utility.

- (6) Private Water Storage Tanks. A private water storage tank supplied from the water utility water supply system shall be deemed a secondary water supply unless it is designed and approved for potable water usage.
- (7) Elimination of Existing Cross-Connections. All existing cross-connections to the water utility water supply systems shall be eliminated. The expenses of such elimination shall be that of the owner of the property on which such cross-connections exist.
- (8) Inspection. The water utility or any representative thereof shall have the authority to inspect any premises to determine the presence of any existing cross-connection and to order the elimination of such cross-connection.
- (9) Discontinuance of Water Service. The water utility shall discontinue water service after a reasonable notice to any person owning any property where a cross-connection in violation of this Code exists or where the user refuses to allow an inspection to determine the presence of a cross-connection. The water utility may take such other precautionary measures as necessary to eliminate any danger of the contamination of the water utility water supply system. Water service to such property shall not be restored until such cross-connection has been eliminated.

## SECTION 5. Extension of Mains

- A. Determination of Who Pays Expense of Extension. The person, persons or entity desiring water service shall install any extension at their own personal expense upon written consent by the Board of Trustees, and conforming to the following requirements.
- B. Requirements if Extension if Installed by Someone Other than the District.
  - (1) The District must review and may approve all plans and specifications for any extensions.
  - (2) Before any extensions are installed, the plans and specifications must be reviewed and approved, and a construction permit issued by the State of Illinois, Environmental Protection Agency.
  - (3) Ownership, rights-of-way, and title must be conveyed to the District for all extensions installed by anyone other than the District. The District will maintain the mains thereafter.



- (4) No extension will be permitted if in the opinion of the Board of Trustees, the system does not have the necessary capacity to serve the proposed extension.

#### SECTION 6. Change in Occupancy

- A. Notice to District. Any user requesting a termination of service shall give written notice to the District ten (10) days prior to the time such termination of service is desired.
- B. Responsibility for Payment of Services Already Consumed. Responsibility for payment for water consumed prior to the date of termination shall be with the property owner as well as the user.
- C. Charges for Change. There shall be no charge for transferring the water service to the subsequent user.
- D. Reinstatement. Any user requesting to re-establish a previously discontinued service must provide the District a 48 hour notice prior to the date of the requested resumption of service. This includes a service that was voluntarily disconnected.

#### SECTION 7. Payment of Bills

- A. Date Due Bills for services are billed in advance. Bills for the subsequent month shall be mailed by the last day of the current month and will be delinquent the 15<sup>th</sup> day of the following month (i.e. January's water bill will be mailed on or before December 31<sup>st</sup> and due on January 15<sup>th</sup>). Bills will be paid to the Treasurer of the District or other designated representative.
- B. Penalties for Late Payment. There will be a ten percent (10%) penalty added to each bill that is unpaid on the 15<sup>th</sup> day of the month following mailing. If any bills remain unpaid on the last day of the month following mailing, the water supply to the property affected may, without notice, be shut off by the District and the service will not be restored until the delinquency and penalty is paid in full. In addition, a \$50.00 service fee will be added to cover the cost of restoring service. If any bill remains unpaid 60 days following the month mailed, then all amounts billed shall constitute a lien upon the real estate to which the service has been rendered. The Secretary/Treasurer is hereby authorized to file a notice of such lien in the Office of the County Clerk, Warren County, Illinois, and to pursue such legal action as is necessary to collect the delinquent charges.

- C. Advance Payment Required. In addition to the penalties above, if a service is disconnected for non-payment of services the District may require a three month advance payment before services will be restored.

#### SECTION 8. Rate Schedule

The following shall be the rates for water supplied by the District:

The minimum monthly bill will be \$40.00 for users within the limit of Little Swan Lake Sanitary District, for residential, domestic, household use.

The minimum monthly bill will be \$60.00 for users outside of the limits of Little Swan Lake Sanitary District, prior to September 9<sup>th</sup> 2020, for residential, domestic, household use.

The minimum monthly bill will be \$60.00 for users outside of the limits of Little Swan Lake Sanitary District, after September 9, 2020 for residential, domestic, or household use.

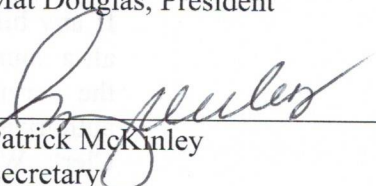
For excessive water used, such as but not limited to, filling of pools, large hot tubs, excessive lawn sprinkling, excessive vehicle washing, leaks, etc. the monthly bill will be increased by a rate of \$8.00 per 1000 gallons used. This will be determined by the user, based on the flow rate of 3-5 gallons per minute for a garden hose or a ½ inch pipe. Payment for excessive water used will be on the honor system in an effort to delay raising of minimum rates as operation and maintenance costs increase.

THIS ORDINANCE shall be in full force and effect from and after its passage and due publication as provided by law, all Ordinances or parts thereof in conflict herewith are hereby expressly repealed to the extent of said inconsistency.

PASSED BY THE BOARD OF TRUSTEES this 14<sup>th</sup> day of February, 2024.

(SEAL)

  
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Mat Douglas, President

  
\_\_\_\_\_  
Patrick McKinley  
Secretary