

Effective date: February 13, 2008

12/13/2007
11/26/2007

2-0-08

AN ORDINANCE

**Amending the City Code
by Enacting a New Title 7, Chapter 12,
"City Waterworks System"**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That the Evanston City Code, 1979, as amended, be
and hereby is further amended by enacting a new Title 9, Chapter 10, "City
Waterworks System," to read as follows:

7-12-1: CONTROL OF WATERWORKS SYSTEM:

The waterworks system of the city, comprising the water mains, pumping station, intake pipes, filtration plant, grounds, buildings and appurtenances thereto, shall be under the control of the City Manager, or his designees.

7-12-2: COMPLIANCE WITH RULES AND REGULATIONS:

Every consumer of water, and every owner, occupant or person in possession, charge or control of any building, structure or premises, supplied with water from the city waterworks system, and every person doing any work in connection with or affecting the system, shall be governed by and be subject to the provisions of this code and other ordinances of the city and such rules and regulations as may from time to time be adopted and approved by the city council governing or concerning the use of water or the doing of such work.

7-12-3: CONNECTION OF WATER SERVICE:

(A) **Public Water Main Connection Required:** The water distribution of any building in which plumbing fixtures are installed shall be connected to a public water main. The drilling of wells for use as a potable or nonpotable water source, including for irrigation, is prohibited within the city.

(B) Water will not be connected to any house or private service pipe except upon the order of the City Manager, or his designees. After the proper permits have been issued and all fees for construction work have been paid, the water will be connected by the Water and Sewer Division at the request of the property

owner. Once the service tap is made, construction water to the property will be allowed for a limited time at the discretion of the City Manager, or his designees and will be billed at the rates listed in Section 7-12-17 until a water meter is installed.

(C) Private Supply And Service Pipes; Licensed Plumber To Do Work: Where any building, structure or premises is located or situated remotely from any city water main and it is desired to introduce or have supplied water from the city waterworks system, the owner, occupant or person in possession, charge or control of such building, structure or premises may be permitted to make connection with the city water main upon making application in writing therefore to the City Manager, or his designees. Such application shall state fully and truly the purpose for which such connections are desired and the use to which such water is to be put. Such connections shall be made only under the following conditions:

1. For properties with multiple uses, each use type at a minimum shall be provided with its own private supply pipe for fire and domestic use.

2. Each such private supply pipe and each service pipe or independent connecting pipe drawing water from such private supply pipe shall be equipped with a service valve located in a buffalo or shut-off box purchased from or at the direction of the Water and Sewer Division and so located in a place as to be satisfactory to, and meet the approval of, the City Manager, or his designees.

3. Each such private pipe shall be monitored by a meter, and the meter shall be of a pattern and design and so located as to be satisfactory to and approved by the City Manager, or his designees.

4. All costs and expenses of laying such private supply pipes and making connections thereto and equipping the same with shut-off valves, boxes and meters shall be borne by the person making application for permission to lay such private supply pipe and without cost of any kind whatsoever to the City.

No private supply shall be laid or connection made thereto by any person other than a duly qualified and bonded plumber, provided that nothing contained in this subsection shall be construed to prohibit the doing of any work by the City through its officers and employees in the Water and Sewer Division and under the direction of the City Manager, or his designees.

(D) Connection Fees: Permit fees for connection to water mains shall be as listed in Section 7-12-17.

7-12-4: TAPS AND SERVICE PIPES; INSTALLATION AND MAINTENANCE:**7-12-4-1: INDEPENDENT TAPS FOR SERVICE PIPES:**

Each service pipe must have its own independent tap, unless the following requirements are met:

(A) Written approval is required from the Water and Sewer Division authorizing two premises to be fed off of a single service pipe with a single service valve.

(B) Separate roundways for each of the premises or buildings shall be placed in the parkway outside of such premises and a permit fee shall be charged for each service.

(C) No more than two premises will be fed off of a single service pipe.

7-12-4-2: INSTALLATION AND MAINTENANCE OF SERVICE PIPE FROM TAP TO FIXTURES:**(A) Service Pipe Requirements:**

1. Every person desiring to be supplied with water from the City water system shall, at his own cost and expense, lay the service pipe from the tap in the main to the fixtures or outlets he desires supplied.

2. No such service pipe hereafter laid shall be less than one inch (1") in diameter between the main and the shut-off box, and from the shut-off box to the water meter.

3. The owner of the premises supplied with water shall keep the service pipe in repair from the service valve located in the shut-off box to the outlets, including all fixtures supplied through such pipe, at his expense.

(B) Notice To Repair: If any such person shall permit any such pipe after the service valve to become broken or out of repair so that the water is wasted thereby, the City Manager, or his designees may, after two (2) days' notice in writing to such person to repair such pipe, turn off the water from such premises. Whenever the water is so turned off, it shall not be turned on again until the pipe and appurtenances on such premises, or in the buildings thereon, have been placed in proper repair. The notice herein provided for may be served by personal service upon the owner or by mailing such notice to the person in possession, charge or control.

7-12-4-3: REPLACE IRON OR STEEL SERVICE PIPE WHEN REPAIRS OR MAJOR RENOVATIONS ARE REQUIRED:

(A) Service lines of iron or steel pipe material shall be replaced in their entirety from the home to the water main whenever any repairs to the line are needed. Regardless of the location of the leak, the property owner will be responsible for the replacement of the service line from the service valve to the water meter. Such new pipes shall be of the design, type and quality as required by the provisions of this Code and other ordinances of the City in effect at the time of such replacement.

(B) Where there exists any iron or steel water service pipe to a property, it shall be the duty of the owner of the property undertaking a major renovation to replace the iron or steel water service pipe in its entirety.

(C) Notice To Replace: If any such property owner shall fail to replace any such iron or steel pipe, the City Manager, or his designees may, after two (2) days' notice in writing to such person to replace such pipe, turn off the water from such premises. Whenever the water is so turned off, it shall not be turned on again until the iron or steel pipe on such premises, has been replaced. The notice herein provided for may be served by personal service upon the owner or by mailing such notice to the person in possession, charge or control.

7-12-4-4: ABANDONMENT OR PERMANENT DISUSE OF ANY PRESENTLY EXISTING WATER CONNECTION(S):

Prior to the abandonment or permanent disuse of any presently existing water service connection(s), the owner of the property shall make application to the Community Development Department in writing for a permit to abandon any and all connection(s) abutting or serving the property. After the proper permits have been issued and all fees for construction work have been paid, the owner shall disconnect and seal off all existing water connections, in a manner prescribed by the City Manager, or his designees, at the water main and restore the street and parkway surface to its preexisting condition. Prior to the closure of any excavation to facilitate the sealing of a presently existing water connection, the owner or contractor shall notify Water and Sewer Division, and an inspection of said sealed connection(s) shall be conducted prior to backfilling.

7-12-5: CITY'S RIGHT OF TURN OFF:

Nothing contained in this chapter shall be construed to deny the right of the City Manager, or his designees to cause any water supply to be turned off without notice in cases where damage to person or property is imminent, or in cases where it is impracticable to give notice that the water supply must be turned off in connection with the operation, repair or extension of the waterworks system. The City is not responsible for any damage caused as a result of having to turn the water off.

7-12-6: WATER METERS:**7-12-6-1: METER REQUIRED:**

Each water service shall have a water meter of a size and type approved by the City Manager, or his designees. Installation of meter reading devices, wiring, and appurtenances for the purpose of obtaining meter readings shall be required in association with the type and size approved by the City Manager, or his designees.

7-12-6-2: INSTALLATION OF METERS:

(A) Permit To Install: No water meter shall hereafter be installed in the city except under a permit issued therefore by the City Manager, or his designees to a plumber, qualified to do plumbing work in the city; provided, however, that the right is reserved for the Water and Sewer Division to set water meters for making tests or for such other purposes as may be found necessary and authorized by the City Manager, or his designees.

(B) Fees:

1. General Permit: The fee for a permit to install a water meter shall be as listed in Section 7-12-17.

2. Transfer: A fee shall be charged for the transfer and inspection of a water meter from one location to another on the same premises or elsewhere within the city limits. The fee shall be as listed in Section 7-12-17.

7-12-6-3: SETTING, REPAIRING, REMOVING METERS:

All meters shall be installed in a secure and protected area. A one-half-inch electrical metallic tubing raceway shall be installed to allow for the installation of wiring between the water meter and a remote reading device. The tubing shall be installed through the exterior wall of the building in a location approved by the City Manager, or his designees. The raceway shall be accessible from where it exits the building to the water meter location after building construction has been completed. The raceway shall be installed in accordance with the National Electrical Code.

For all new construction, the water meter must be placed within five feet of where the water service enters the building. The meter shall be placed in a building location that will be kept sufficiently warm to prevent freezing of the meter and supply line. To facilitate the repair/ removal of the meter, the property owner must provide isolation valves and necessary plumbing appurtenances located on either side of the meter. It is the responsibility of the property owner to maintain and repair the isolation valves and appurtenances.

No person other than a duly authorized officer or employee of the department of public works shall set, repair or remove, or in any way interfere with any water meter installed in any building, structure or premises for the control of the water supply thereto.

7-12-6-4: REPAIR OF METERS; EMERGENCIES:

(A) Repairs, Notice: No water meter shall be repaired, changed, altered, disconnected or in any manner disturbed except by the Water and Sewer Division; provided, that in case of freezing, a bad leak or other dangerous emergencies, qualified plumbers may, without first obtaining a permit, remove the damaged meter from the line, but not from the premises. Notice of such removal shall be filed with the City Manager, or his designees by the plumber within forty eight (48) hours after such removal.

(B) Notice Of Frozen Meters: Consumers shall promptly notify the Water and Sewer Division when it shall come to their knowledge that a water meter is frozen, and they shall not attempt to thaw it with an open flame. Consumers shall also give notice of damage to water meters, supply lines or meter reading devices.

(C) Charge For Meter Repairs: Whenever it shall be necessary for the city to make repairs to any water meter due to negligence on the part of the consumer, including freezing of the meter, a charge shall be made for the labor and parts, which charge shall be added to the water bill and shall be a charge in addition to any and all other charges for water consumed through such meter.

7-12-6-5: FAILURE TO PROCURE, USE WATER METER:

The City Manager, or his designees is hereby authorized to cause the water supply to be turned off from any building or premises, the owner or occupant of which shall fail, within a reasonable time, to procure and use a water meter, after receiving notice to do so from the City Manager, or his designees.

7-12-7: WATER RATES AND CHARGES:

7-12-7-1: RATES ESTABLISHED:

The rates and charges to be paid by water takers and consumers for the use of water shall be such as the city council shall, from time to time, by ordinance prescribe. The current rates are listed in Section 7-12-17.

(A) All water passing through a meter shall be charged for, whether used or wasted, and no deductions shall be made for water wasted through defective pipes, fixtures or otherwise.

(B) If any water meter ceases to register, stops, or is otherwise out of repair and fails to correctly indicate the water consumed; the City Manager, or his designees shall estimate from the most reliable data available the quantity of

water passing through the meter during such failure and the bill so estimated must be paid by the consumer.

7-12-7-2: PAYMENT OF RATES AND CHARGES:

All water charges for metered premises shall be due and payable on or before the twentieth day after the date of the statement of such charges. Said statement shall be mailed to each consumer at least once every six (6) months. All bills for metered water unpaid for the twenty (20) day period provided for shall become delinquent and a penalty of ten percent (10%) of the net amount of the unpaid bill for water consumed shall be added thereto for a total gross bill and collected in addition thereto.

7-12-7-3: FAILURE TO PAY DELINQUENT CHARGES:

Whenever any such bills shall remain unpaid for a period of more than thirty (30) days from the date of the statement provided for, the water shall be turned off from the premises of such delinquent consumer and the service shall not be turned on until all water bills in arrears shall have been paid, including all penalties accrued and a water turn on charge applied as listed in Section 7-12-17.

No such discontinuation of water service shall be made between five o'clock (5:00) P.M. Thursday and eight o'clock (8:00) A.M. Monday.

7-12-7-4: LIEN FOR WATER RATES AND CHARGES:

(A) The city shall have a continuing lien upon and against the premises and real estate upon or for which water is used or supplied for all water rates, charges or benefits for water supplied. Every such lien shall, upon compliance with the conditions herein set forth, become and be prior and superior to the rights and interests of creditors, encumbrances, purchasers and any other parties in interest in such premises and real estate.

(B) Whenever a bill for water rates, charges or benefits remains unpaid for thirty (30) days after it has been rendered, the City Manager, or his designee shall file or cause to be filed in the office of the recorder of deeds in the county or, if the real estate to or for which such water has been supplied is registered under the Torrens system, the City Manager shall file in the office of the registrar of titles of the county, a statement of lien claim duly verified by his affidavit, or the affidavit of some other officer of the city having knowledge of the facts. The statement shall contain a sufficient and correct description of the lot or tract of land to identify the same, the balance due after allowing all just claims and a notice that the city claims a lien of that amount against such premises subsequent to the period covered by the amount due as shown in such statement.

(C) Such lien shall not be defeated in the proper amount thereof because of any error or overcharge, nor shall any such lien be defeated by proof that such

water was used or contracted for by a tenant or occupant of the premises other than the owner.

(D) If the consumer of water whose bill is unpaid is not the owner of the premises and the City Manager or other officer of the city has notice of this fact, a notice stating that such bill remains unpaid for a period of thirty (30) days after it has been rendered shall be mailed to the owner of the premises at his last known address. The failure to mail such notice or the failure of the owner of the premises to receive such notice shall not affect or impair the right to foreclose the lien for unpaid water bills as herein provided.

(E) If payment shall not be made as provided by the provisions of this code and other ordinances of the City of any amount due for water rates, charges, fees or penalties when the same become due, the City may file or cause to be filed a complaint in the circuit court or in the superior court of the county for the foreclosure of such lien, or, upon becoming a defendant in any pending suit affecting such premises or real estate, by intervening or petitioning or by filing a cross complaint, or in any other manner allowed by the laws of the state, and the city may proceed in its corporate name to foreclose such lien in like manner and with like effect as provided by the statutes of the state for the foreclosure of mechanic's liens or other statutory liens. Such suit or other proceeding by the city to foreclose such lien shall be commenced within two (2) years after the accrual of such water rates, charges, fees or penalties. Any decree rendered in such court shall be enforced and collected in accordance with the laws of the state. The City Manager is hereby authorized and empowered to institute such proceeding in the name of the City in the Circuit Court or Superior Court of the County against any premises or real estate against which the water bill remains unpaid thirty (30) days after it has been rendered.

(F) The remedy provided in this Section for the collection of delinquent water rates, charges, fees or penalties shall not be construed to abridge or interfere in any manner with the right or power of the City to enforce collection thereof in any other manner, but the remedy herein provided shall be taken and held to be an additional means to enforce payment of such delinquent water rates, charges, fees or penalties.

7-12-8: AUTOMATIC SPRINKLER SERVICES; CHARGES:

There shall be no connection on any part of a fire service for the purpose of receiving water supply from any source other than the City service nor shall there be any connection for the purpose of supplying water from a fire service for any other purpose other than fire protection.

A fire service charge for each automatic sprinkler service main leading to any building or premises from the City water main is hereby established as listed in Section 7-12-17. Such service charge shall be payable twice per year by the owners of buildings equipped with automatic sprinkler service mains. Any fractional period of the calendar year less than six (6) months shall be prorated and the proper charge collected therefor. Such service charge is hereby

established for the purpose of providing and maintaining ready-to-serve equipment and facilities for private fire protection. Such service requires installation of a fire detector meter and an approved backflow prevention device for the purpose of cross-connection control. No other meter service or water charges shall be collected or made against fire service mains unless the detector meter indicates water usage in excess of that associated with reasonable system testing.

7-12-9: AIR CONDITIONING EQUIPMENT, USE OF WATER FOR:

7-12-9-1: DEFINITIONS:

Unless otherwise expressly stated, whenever used in this Section the following words shall have the meanings given to them by this Section:

AIR CONDITIONING SYSTEM: Any unit or combination of units used for the cooling or dehumidification, or both, of space for human occupancy, supplied with water through any single customer water pipe connected to the public water system.

TONS OF CAPACITY: The total number of tons of refrigeration installed on one air conditioning system. For the purposes of this Section, one compressor horsepower shall be considered equivalent to one ton of refrigeration.

SEASON: The period of May 1 to September 30 in the same calendar year.

WATER CONSERVING DEVICE: A cooling tower, spray pond, evaporation condenser, or other equipment by which water is cooled and recirculated, thereby limiting the use of water from the mains to that amount lost through evaporation.

WATER REGULATING DEVICE: A regulating valve or other device, the purpose of which is to limit the maximum use of water to a predetermined rate.

7-12-9-2: REGULATIONS:

It shall be unlawful for any person to install or operate an air conditioning system, as defined herein, without complying with the following regulations:

- (A) **Permit Required:** All persons who desire to install or make additions to an air conditioning system after the effective date herein shall obtain approval of their proposed equipment and a permit therefore, in advance, from the City Manager, or his designee and shall be required to give notice of completion of the installation to the City Manager or his designee. The permit charge shall be one dollar (\$1.00) per ton of capacity of the system. All persons who have installed an air conditioning system prior to the effective date hereof shall notify the City Manager or his designee of such existing installation. Failure to give notice shall be considered a violation of this Code.

(B) Water Rates: Water used for air conditioning system purposes shall be charged for at the regular metered rates, except as provided in subsection (C) hereof.

(C) Limit on Amount of Water to be Used; Regulating Devices; Demand Charges; Water Conserving Devices: Any air conditioning system of over five (5) tons of capacity installed prior to July 1, 1956 shall be equipped with a water regulating device and may use water from the City mains at a rate not to exceed two (2) gallons per minute per ton of capacity. The owner of such system shall pay an annual demand charge as listed in Section 7-12-17. This demand charge shall be in addition to the regular charges provided in subsection (B) hereof. Demand charges shall be charged for each season for any air conditioning system not equipped and operating a water conserving device prior to September 1 falling within such season.

Any air conditioning system or additions thereto, resulting in a total capacity in excess of three (3) tons installed after July 1, 1956 shall be equipped with a water conserving device.

Any air conditioning system or additions to existing systems installed after July 1, 1981, shall be designed and operated with a water conserving device so that water from the City mains shall be used for make-up and flushing purposes only.

(D) Payment of Water Bills: Demand charges shall be payable to the City Collector and bills shall be rendered in each calendar year, covering the current season. Demand charges, being in lieu of increased rates, shall bear the same penalties for delinquent payments as do the charges for water.

(E) The City Manager, or his designees shall have Access to Premises; Installation of Meters: The City Manager, or his designees shall, at all reasonable times, have free access to premises supplied with water for air conditioning purposes, to examine the equipment and to ascertain if there is more water being used than allowed by this Section. The City Manager shall have the power and authority to require the installation of a meter furnished by the City to determine the amount of water used by any air conditioning system.

7-12-9-3: PENALTIES:

Any person who violates or disobeys, or who omits, neglects or refuses to comply with, or who resists the enforcement of, any of the provisions of this Section shall be punished as provided in Section 1-4-1 of this Code. The City Manager, or his designees shall have the authority to discontinue the supply of water to any person violating any of the provisions of this Section.

7-12-10: WATER SERVICE TO PRIVATE FIRE HYDRANTS; USE OF:

Proprietors of lumber yards, manufactories, halls, stores, hotels or public buildings, using City water exclusively, desiring to lay large pipes from the street mains to private fire hydrants fitted with hose couplings, to be used only in case

of fire, will be permitted to do so at their own expense and under the supervision of the City Manager, or his designees, and will be allowed to use water for fire purposes only free of charge.

7-12-11: RIGHT OF ACCESS; INSPECTIONS:

For the purpose of inspecting pipes and fixtures and the reading of meters or ascertaining whether there is any waste of water, the City Manager, or his designees, and the Police Department of the City shall have full access, between seven o'clock (7:00) A.M. and six o'clock (6:00) P.M. to all parts of the building connecting with the distributing pipes of the City, or in any manner receiving water from such pipes.

Any person in possession, charge or control of any building into which the City Manager shall desire to make entry or to have access for the purposes herein specified, who shall refuse to permit such entry or access, or who shall do or cause to be done any act or thing for the purpose of preventing such entry or access, shall be guilty of a misdemeanor. For such violation and in order to correct same, the City Manager, or his designees may cause the water supply to be turned off until the access sought is permitted. (1957 Code, sec. 47-12)

7-12-12: UNAUTHORIZED TURNING ON OF WATER:

Where the water supply to any building, structure or premises shall have been turned off or stopped on account of the nonpayment of water rates or on account of the violation of any of the provisions of this Chapter, or for any other reason or cause whatsoever, where such turning off or stopping of water shall have been done by the City, the water shall not again be supplied to such building, structure or premises or be turned on therein or thereto unless authorized by the City Manager, or his designees. If it shall be found by the City Manager, or his designees that the water supply has been turned on or into any such building, structure or premises from which it has been turned off or stopped by the City for cause, in violation of the provisions of this Section, the City Manager shall have the authority to and it shall be his duty to see to it that the service or supply pipe by and through which water is supplied to such building, structure or premises is disconnected at the water mains or as near thereto as is practical and no water shall again be supplied to such building, structure or premises or be permitted to be turned on therein or thereto until all back water charges, costs and damages incurred by the City in stopping the supply, together with a penalty as listed in Section 7-12-17 as liquidated damages for and on account of the unlawful and unauthorized turning on of such water to such premises shall have been paid to the City.

The amounts specified to be paid in this Section shall be paid by the person owning or occupying, or in possession, charge or control of such building, structure or premises at the time it is desired to have the water turned on or supplied thereto, irrespective of whether such person shall have been the one guilty of violating the provisions of this Chapter. Such person shall be held responsible for any tampering with the stops, meters or shut-off boxes on or

serving his premises, or in his building or structure and also held responsible for any unlawful or unauthorized turning on of the water into or upon his building, structure or premises.

7-12-13: VACANT BUILDINGS; WATER TURN ON AND TURN OFF:

Whenever the owner, agent, lessee or person in charge, possession or control of any building, structure or premises shall give notice in writing to the City Manager, or his designees that any building is vacant or unoccupied and shall request the Department of Public Works to turn off the water, the Director shall cause the water supply of such building to be turned off. The supply of water shall be turned on in such building upon a formal request by the owner, agent or lessee at the fees listed in Section 7-12-17.

7-12-14: WATER CONSERVATION MEASURES:

7-12-14-1: WASTING WATER; PROCEDURE:

If it shall be found that there is an unreasonable or unnecessary waste of water in any building, structure or premises to which water is supplied from the City waterworks system, through or by means of a leak in any water pipe located in any such building, structure or in or on any such premises, the City Manager, or his designees shall cause the water supply to be turned off from such building, structure or premises unless such waste shall be stopped or shall cease after notice is given to the owner, occupant or person in possession, charge or control of such building, structure or premises to stop such waste. In case the water supply is turned off from any building, structure or premises on account of a neglect, failure or refusal of any person so notified to stop such leak, the water supply shall not again be turned on until the cost and expense to the City of turning off and again turning on such water supply shall have been paid by such owner, occupant or person in possession, charge or control. Nothing in this section shall prohibit the City's right to turn off water service in the event of potential damage to properties and/ or contamination of the water distribution system.

7-12-14-2: RESTRICTIONS ON LAWN SPRINKLING AND OTHER WATER USES:

(A) Commencing from May 15 through September 15 of each year, it shall be unlawful for any person, firm or corporation to use water for the sprinkling or irrigation of lawns or gardens on weekdays (Monday through Friday) between the hours of ten o'clock (10:00) A.M. and four o'clock (4:00) P.M. Memorial Day, Fourth of July, Labor Day and all weekends are excluded.

(B) An exception to the above specified limits for lawn sprinkling is granted for a period of ten (10) consecutive days for watering of newly laid sod or freshly sown seeds (for new lawns).

(C) Any person, firm or corporation violating the provisions of this Section shall be fined according to the schedule provided in Section 7-12-17.

(D) In the event of an emergency water shortage the City Manager or his agent or designee shall have the power to temporarily ban all nonessential water use for as long as the emergency water shortage shall exist.

7-12-15: OFFENSES TO SYSTEM:

(A) Tampering with Mains, Pipes or Appurtenances: It shall be unlawful for any person to interfere in any manner with any water main, fire hydrant, service pipe, water meter, stop or shut-off box or any water pipe connected with the City waterworks system, or comprising a part of such system.

No person shall willfully or carelessly break, injure, mar, deface, interfere with or disturb any building, machinery, apparatus, fence, fixture, crib, pier, piling, hydrant, attachment or appurtenance of the City waterworks system or any public or private hydrant or roundway, service box, water supply or service pipe or any part thereof nor shall any person deposit anything in any service box or commit any act tending to obstruct or impair the intended use of any of the abovementioned things.

A penalty shall be levied according to the schedule listed in Section 7-12-17.

(B) Obstructing Service Box, Roundway or Water Meters: It shall be unlawful for any person in any manner to obstruct the free access to any service box, roundway or water meter or to refuse the free access thereto by the proper City authorities. Failure to provide such access shall result in a penalty as listed in Section 7-12-17.

(C) Pollution of Reservoir: No person shall commit any offense that will pollute any reservoir or basin.

(D) Flushing or Cleaning Sewers: Potable water shall not be used in the City for the flushing or cleaning of sanitary sewers except in conjunction with a high pressure flushing system.

(E) Unlawful Procurement of Water: In the event of the unauthorized use of water from the City system, the City will estimate the water use and add the payment for such use on top of any fees and/ or penalties otherwise levied.

7-12-16: CROSS-CONNECTION CONTROL

(A) Purpose. The purpose of establishing these Rules and Regulations is:

1. To protect the public water supply from contamination or pollution by isolating within the customer's water system contaminants or pollutants, which could back flow through the service connection into the public water supply system.

2. To promote the elimination or control of existing cross connections, actual or potential, between the public or customer's potable water system and non-potable water systems, plumbing fixtures and sources or systems containing substances of unknown or questionable safety.

3. To provide for the maintenance of a continuing program of cross connection control which will prevent the contamination or pollution of the public and customer's potable water system.

(B) The owner of property shall be responsible for protection of the public water supply system from contamination due to back flow or back siphonage of contaminants through the customer's water service connection. If in the judgment of the City Manager, or his designees, an approved back flow prevention device is necessary for the safety of the public water supply system, the City Manager, or his designees shall give notice to the owner to install such approved back flow prevention device at each service connection where such device is required. The owner shall immediately install such approved device at each service connection where such device is needed. The owner shall immediately install such approved device or devices at his own expense. Failure, refusal or inability on the part of the owner to install such device or devices immediately shall constitute grounds for turn off of the water service to the premises until such device or devices have been installed.

7-12-16-1: DEFINITIONS:

Unless otherwise expressly stated, whenever used in this Section the following words shall have the meanings given to them by this Section:

Backflow. The term "backflow" shall mean water, wastes or other contaminants entering a public water system due to a reversal of flow.

Connection. The term "connection" shall mean any arrangement of piping or appurtenances attached to a public water supply system.

Cross Connection. The term "cross connection" shall mean a connection or arrangement of piping or appurtenances through which a backflow could occur.

Cross Connection Control Device Inspector (CCCDI). The term Cross Connection Control Device Inspector shall mean any person certified by the State of Illinois Environmental Protection Agency to perform cross connection device inspections.

7-12-16-2: CROSS CONNECTIONS PROHIBITED:

(A) Connections between the public water supply system and other systems or equipment containing water or other substances are prohibited except when and where approved cross-connection control devices or methods are installed, tested and maintained to insure proper operation on a continuing basis.

Specifically, fire protection systems and irrigation systems which contain installed piping and are connected to the public water supply system are prohibited except when and where approved back flow prevention is installed, tested and maintained to insure proper operation on a continuing basis.

(B) No physical connection shall be permitted between the potable portion of a supply and any other water supply not of equal or better bacteriological and chemical quality as determined by inspection and analysis.

(C) There shall be no arrangement or connection by which an unsafe substance may enter a water supply.

(D) It shall be unlawful for any owner to have on their property any connection in violation of this Section.

7-12-16-3: RIGHT OF ACCESS

(A) On request by the City Manager, or his designees, the owner shall furnish information regarding the piping systems, system or water use within the owner's premises. The premises shall be open at all reasonable times to the City Manager, or his designees for the verification of information submitted to the public water supply custodian regarding cross connection inspection results.

7-12-16-4: TESTING AND MAINTENANCE REQUIREMENTS:

(A) It is the responsibility of the owner to prevent back flow into the public water system by ensuring that:

1. All cross connections are removed; or approved cross-connection control devices are installed for control of back flow and back siphonage.

2. Cross connection control devices shall be installed in accordance with the manufacturer's instructions.

3. Cross connection control devices shall be inspected at the time of installation and at least annually thereafter by a person approved by the State of Illinois Environmental Protection Agency as a Cross Connection Control Device Inspector (CCCDI). The inspection of mechanical devices shall include physical testing in accordance with the manufacturer's instructions. Inspections shall be documented on approved inspection forms and submitted annually to the Water & Sewer Division.

4. Testing and Records:

a. Each device shall be tested at the time of installation and at least annually or more frequently if recommended by the manufacturer.

b. Records submitted to the Water & Sewer Division shall be available for inspection.

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c. Each device shall have a tag attached listing the date of most recent test, name of CCCDI, and type and date of repairs.

d. Every owner shall maintain for a period of five years, a maintenance log for each cross connection device which shall include:

- i. date of each test;
- ii. name and approval number of person performing the test;
- iii. test results;
- iv. repairs of servicing required;
- v. repairs and date completed; and
- vi. serving performed and date completed.

(B) Whenever back flow prevention devices required by these regulations are found to be defective, they shall immediately be repaired or replaced at the expense of the owner.

(C) Back flow prevention devices shall not be bypassed, made inoperative, removed or otherwise made ineffective without specific authorization by the City Manager, or his designees.

7-12-16-5: FEES:

(A) There shall be an annual fee as listed in Section 7-12-17 assessed for each cross connection control device in the water system. This fee shall be assessed to the owner of the property.

7-12-16-6: VIOLATIONS:

(A) The City Manager, or his designees shall turn off the water service to any premises wherein any back flow prevention device required by these regulations is not installed, tested, maintained and repaired as directed. Water service will be turned off to any property where it is found that the back flow prevention device has been removed or bypassed, or if an unprotected cross connection exists on the premises.

(B) Water service to such premises shall not be turned on until the owner has corrected or eliminated such conditions or defects in conformance with these regulations and the satisfaction of the City Manager, or his designees and the required water turn on fee as specified in Section 7-12-17 has been paid.

(C) The City of Evanston and any of its agents shall not be liable for any injury, damages or lost revenues which may result from termination of said water

supply in accordance with the terms of this ordinance, whether or not said termination of the water supply was with or without notice.

(D) The owner is responsible for back-siphoned material or contamination through back flow, 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. The owner must bear the cost of cleanup of the potable water supply system.

(E) Any person found to be violating any provision of this Ordinance may be served with written notice of the violation and providing a reasonable time limit for satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violation.

(F) Any person violating any of the provisions of this Ordinance shall become liable to the City of Evanston for any expense, loss or damage occasioned by the City by reason of such violation, whether the same was caused before or after notice.

7-12-17: CHARGES, RATES, FEES AND PENALTIES:

The fees and penalties for the waterworks system shall be paid according to the following table. Fees and penalties not covered by this table shall be as described in Section 1-4-1.

Waterworks System Charges, Rates, Fees and Penalties	
Construction Water Fee (prior to meter installation) Section 7-12-3(B)	\$100.00/ diametric inch/ month
Connection Fee Services, 2" and smaller Services, greater than 2" Section 7-12-3(D)	\$100.00 \$100.00/ diametric inch
Water Meter Installation Permit Fee Section 7-12-6-2(B)	\$50.00
Water Meter Transfer Fee Section 7-12-6-2(B)2	\$50.00

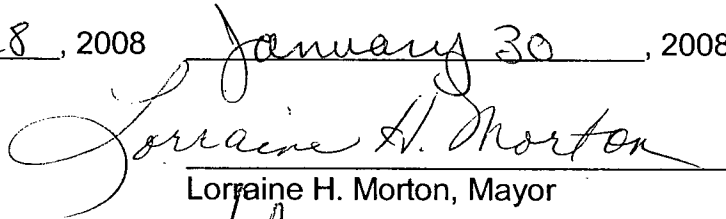
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Meter Charges & Water Rates	Size	Charge	
<p>Bi-monthly meter charge - The minimum service charge includes the first five hundred cubic feet (500 cu.ft.) of water consumed during the two (2)-month period for which the minimum service charge is assessed. Any fractional part of the calendar year less than two (2) months shall be prorated and the proper minimum service charge collected.</p> <p>Quantity rate charged for all water used during the period for which the minimum service charge is assessed, in excess of the first five hundred cubic feet (500 cu.ft.) of water that is included in the minimum service charge.</p> <p>Section 7-12-7-1</p>	5/8" and 3/4"	\$5.40	
	1"	\$10.80	
	1 1/2"	\$20.20	
	2"	\$31.80	
	3"	\$56.00	
	4"	\$89.70	
	6"	\$158.20	
	8"	\$267.80	
		\$1.52/100 cubic feet	
<p>Water Turn On Fee</p> <p>During business hours</p> <p>Outside of business hours</p> <p>Section 7-12-7-3</p>		<p>\$25.00</p> <p>\$75.00</p>	
<p>Fire Service Semi-Annual Charge</p> <p>Section 7-12-8</p>		\$20.00/ diametric inch/ 6 months	
<p>Air Conditioning Device Annual Demand Charge</p> <p>(unless equipped with water conservation device)</p> <p>Section 7-12-9-2(C)</p>		\$20.00/ ton capacity over 5 tons	
<p>Unauthorized Water Turn On Penalty</p> <p>Services, 2" and smaller</p> <p>Services, greater than 2"</p> <p>Section 7-12-12</p>		<p>Time and materials for repairs plus:</p> <p>\$100.00</p> <p>\$500.00</p>	
<p>Shut-Off for Property Vacancy Fee</p> <p>Section 7-12-13</p>		\$50.00	
<p>Lawn Sprinkling Restriction Violation Penalty</p> <p>Section 7-12-14-2(C)</p>		\$25.00 - \$500.00 per day of violation	
<p>Penalty For Tampering With City Waterworks System</p> <p>Section 7-12-15(A)</p>		\$500.00 plus the estimated cost of water	
<p>Penalty for Obstruction of Roundway, Service Box or Water Meter</p> <p>Section 7-12-15(B)</p>		\$50.00	
<p>Annual Cross Connection Control Fee</p> <p>Section 7-12-16-5</p>		\$35.00/ device	

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: That this ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

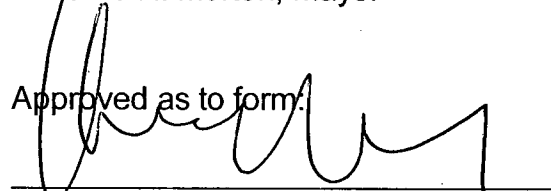
Introduced: January 14, 2008 Approved:
Adopted: January 28, 2008 January 30, 2008



Lorraine H. Morton, Mayor

Attest:


Mary P. Morris, City Clerk

Approved as to form:


Corporation Counsel

