

ORDINANCE NO. 2015 - 2122

**AN ORDINANCE AMENDING SECTION 12.06.020, ENTITLED “UNDERGROUND LAWN SPRINKLER SYSTEMS,” OF CHAPTER 12.06, ENTITLED “GENERAL PROVISIONS,” OF TITLE 12, ENTITLED “STREETS, SIDEWALKS AND UTILITIES,” OF THE WESTCHESTER MUNICIPAL CODE**

WHEREAS, the corporate authorities of the Village of Westchester (“Village”) find that it is advisable, necessary and in the best interest of the public to amend Section 12.06.020, entitled “Underground lawn sprinkler systems,” of Chapter 12.06, entitled “General Provisions,” of Title 12, entitled “Streets, Sidewalks and Utilities,” of the Westchester Municipal Code to provide for regulations relating to the installation and removal of underground lawn sprinkler systems in the public parkway.

NOW, THEREFORE, BE IT ORDAINED, by the Village President and the Board of Trustees of the Village of Westchester, Cook County, Illinois, as follows:

**Section 1:** Section 12.06.020, entitled “Underground lawn sprinkler systems,” of Chapter 12.06, entitled “General Provisions,” of Title 12, entitled “Streets, Sidewalks and Utilities,” of the Westchester Municipal Code is hereby amended, as follows:

**12.06.020 – Underground lawn sprinkler systems.**

- (a) It is unlawful to install or cause to be placed underground any lawn sprinkler system from the center of the area located between the street curbs and the inside edge of the public sidewalk, closest to the street.
- (b) This section applied to the installation of new underground lawn sprinkler systems as well as any replacement of existing systems regardless of residential or commercial property.
- (c) This section requires all owners of lawn sprinkling systems which were in existence prior to the passage of Ordinance No. 01-1574, which codified this Section, to mark the location of all sprinkler heads and underground pipes in the subject area prior to any street, sidewalk or other construction to be conducted in the area. In addition, any lawn sprinkler system that has been installed in violation of or not in compliance with paragraph (a) of this Section shall be removed by the owner of such system, upon notice from the Village.

- (d) The village, its president, trustees, officers, employees and agents are held harmless against any claims, liabilities, losses, suits, injuries, judgments or settlements of any kind whatsoever, arising out of or in any way relating to any construction or services rendered in the area of any lawn sprinkler system, including, but not limited to, snowplowing activities conducted by the Village or its employees or agents.

**Section 2:** This Ordinance shall be in full force and effect upon its passage and approval as provided by law.

**ADOPTED** this 12<sup>th</sup> day of May, 2015, pursuant to a roll call vote as follows:

Angelo A. Calcagno	<u>Aye</u>	Celestine Reda	<u>Aye</u>
Carl C. Celestino	<u>Aye</u>	Nick Steker	<u>Aye</u>
Frank Perry	<u>Aye</u>	Tom Yurkovich	<u>Aye</u>
	President Pulia	<u>Aye</u>	

**APPROVED** this 12<sup>th</sup> day of May, 2015.

  
Sam D. Pulia, Village President

ATTEST:

  
Sherby J. Miller, Village Clerk