

ORDINANCE NO. 2020- 2371

AN ORDINANCE OF THE VILLAGE OF WESTCHESTER, COOK COUNTY, ILLINOIS
AMENDING CHAPTER 2.60 "WATER DEPARTMENT" OF TITLE 2 "ADMINISTRATION
AND PERSONNEL" AND CHAPTER 15.08 "MAINTENANCE OF SEWERS AND WATER
MAINS" OF TITLE 15 "WATER AND SEWERS" OF THE WESTCHESTER MUNICIPAL
CODE RELATED TO WATER METER AND SERVICE
LINES REPAIRS AND PROCEDURES

PASSED AND APPROVED BY THE
PRESIDENT AND BOARD OF TRUSTEES
THIS 12th DAY OF JANUARY 2021

Published in pamphlet form by
Authority of the Corporate
Authorities of Westchester, Illinois
the 12th day of January 2021

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**AN ORDINANCE OF THE VILLAGE OF WESTCHESTER, COOK COUNTY,
ILLINOIS AMENDING CHAPTER 2.60 “WATER DEPARTMENT” OF TITLE 2
“ADMINISTRATION AND PERSONNEL” AND CHAPTER 15.08 “MAINTENANCE
OF SEWERS AND WATER MAINS” OF TITLE 15 “WATER AND SEWERS” OF THE
WESTCHESTER MUNICIPAL CODE RELATED TO WATER METER AND SERVICE
LINES REPAIRS AND PROCEDURES**

WHEREAS, the Village of Westchester, Cook County, Illinois (the “*Village*”) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the Village President and Board of Trustees of the Village of Westchester, Cook County, Illinois (the “*Corporate Authorities*”) may from time to time amend the text of the Westchester Municipal Code (the “*Code*”) when it is determined to be necessary, desirable and in the best interests of the health, safety and welfare of the Village and its residents; and

WHEREAS, the Village desires to amend the Village Code related to water meter and service line repairs and procedures; and

WHEREAS, the Corporate Authorities deem it advisable and in the best interest of the health, safety and welfare of the residents of the Village to amend the Village Code related citations for expired vehicle registration.

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

Section 1: The above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2: Chapter 2.60 “Water Department” of Title 2 “Administration and Personnel” of the Westchester Municipal Code is hereby amended by adding the underlined

language to read, as follows:

Chapter 2.60 – WATER DEPARTMENT

2.60.250 – Use requirements.

- (a) All water consumers supplied by the Village of Westchester shall be supplied through meters only, and shall pay for the water at the rates and in the manner hereinabove specified.
- (b) All meters must be purchased through the Village of Westchester. The Village of Westchester shall in all cases determine the kind and pattern of meters to be adopted. No other kind shall be installed or used.
- (c) All meters shall be placed in the basement of buildings where service pipes enter the same so as to afford easy access for examining and reading. Where there is no basement the meter shall be placed in a tile or concrete box inside the curblin not more than one foot distance from the service cock. The box must be so constructed as to amply protect the meter against frost, and must be easily accessible to the members and employees of the public works department. All meters for buildings classified as commercial or industrial, pursuant to the Westchester Zoning Ordinance, and all lawn sprinkler meters must be placed above ground and in a climate-controlled enclosure, and, if necessary, have a heat source to prevent freezing . All meters must be replaced every ten (10) years, as recommended by the manufacturer, or at the discretion of the Village Water Superintendent.

2.60.320 – Penalty.

- (a) Any person found to be in possession of a tampered part or found to have tampered with any part of the metering system shall be liable for a violation of the provisions of this chapter and shall be punished by a fine of not less than two hundred fifty dollars nor more than seven hundred fifty dollars. Each day upon which a person shall continue any violation of this chapter, including failing to bring such metering system into compliance after notification thereof, shall constitute a separate and distinct offense, and shall be deemed a separate violation and shall be punished by a fine of not less than two hundred fifty dollars nor more than seven hundred fifty dollars for each such offense.

The cost of repairs incurred by the Village as a result of tampering in a property classified as residential, pursuant to the Westchester Zoning Ordinance, shall be paid by the account holder for said residential water connection.

Section 3: Chapter 15.08 “Maintenance of Sewers and Water Mains” of Title 15

“Water and Sewers” of the Westchester Municipal Code is hereby amended by adding the underlined language to read, as follows:

Chapter 15.08 – MAINTENANCE OF SEWERS AND WATER MAINS

15.08.030 – Responsibility for Water Services

- (a) The village shall be responsible for the operation and maintenance of water mains, valves, fire hydrants and all other appurtenances of the water system and water service leads to the buffalo box, including the joints on either side of the roadway, provided that where there is evidence of a poor connection or other negligence on the part of the plumber who made the connection on the property owner's side of the roadway, the village shall bill the property owner for the time and materials required to repair the leak.
- (b) Emergency repairs required for lead service lines may be performed to prevent water loss and to immediately restore service to the consumer. In order to receive emergency repairs to a lead service line, the property owner must sign an agreement acknowledging the intended lead repair. Lead service lines that require emergency or regular repair must be replaced within ninety (90) days of the repair unless provided an extension by the Water Superintendent due to extreme weather conditions. Failure to replace the lead service line after ninety (90) days of the repair or after the allotted extension period, shall be liable for a violation of the provisions of this chapter and shall be punished by a fine of not less than two hundred fifty dollars nor more than seven hundred fifty dollars. Each day upon which a person shall fail to replace the lead service line after notification thereof, shall constitute a separate and distinct offense, and shall be deemed a separate violation and shall be punished by a fine of not less than two hundred fifty dollars nor more than seven hundred fifty dollars for each such offense.

Section 4: If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 5: All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 6: The Village Clerk is hereby authorized and directed to publish this Ordinance in pamphlet form and this Ordinance shall be in full force and effect immediately

after its adoption, approval and publication to ensure the public health, safety and welfare of the residents of the Village.

(Intentionally left blank)

ADOPTED this 12th day of January 2021, pursuant to a roll call vote as follows:

Angelo A. Calcagno	<u>AYE</u>	Robert Morales	<u>AYE</u>
Cathy Kuratko	<u>AYE</u>	Frank Perry	<u>AYE</u>
Tracy Hart Markey	<u>AYE</u>	Nick Steker	<u>AYE</u>

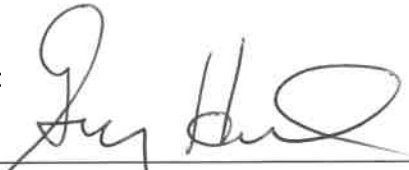
President Gattuso AYE

APPROVED this 12th day of January, 2021.



Paul Gattuso, Village President

ATTEST:



Stanley V. Kolodziej, Village Clerk
Greg Hribal, Deputy Clerk