

ORDINANCE 88-19

ORDINANCE ADOPTING MANDATORY WATER
CONSERVATION REGULATIONS

WHEREAS, the Village of Chatham purchases its water from the City of Springfield pursuant to a written Contract made in 1967;

WHEREAS, Paragraph 6 of said Contract with the City of Springfield provides:

"In the event at any time during the period of the contract a shortage of water causes Springfield to impose restrictions or rationing of water to any of its users, Chatham agrees to impose the same restrictions or rationing on its users for the period in which they are imposed on Springfield's users."

WHEREAS, the City of Springfield passed an Ordinance on August 16, 1988 entitled "Ordinance Adopting Mandatory Water Conservation Regulations for the City of Springfield, Illinois," (No. 569-8-88), which includes, among others, the following provisions:

- A. Section 2 consisting of the terms, conditions, definitions, exceptions, procedures and penalties of the regulations;
- B. Section 6 providing that in accordance with the authority of the Illinois Municipal Code (Ill. Rev. Stat. 1987 Ch. 24 ¶1-2-4) the Water Regulation Ordinance is to take into effect immediately upon passage due to the urgency of implementing immediate mandatory water conservation measures as a result of a shortage in the municipal water supply;
- C. The Director of the Public Utilities is directed to cause the Ordinance to be implemented upon its effective date. The contractual rights under all wholesale water service contracts to require each wholesale customer to adopt water use regulations consistent with the City of Springfield Ordinance is invoked, and notice of such action is to be served on wholesale water customers of the City.

WHEREAS, pursuant to said Ordinance the Director of Public Utilities for the City of Springfield has given notice in writing to the Village of Chatham of all of the foregoing, including the request that all of the provisions of the City of Springfield Mandatory Water Conservation Ordinance be duly adopted and enforced by the Village of Chatham as soon as possible;

WHEREAS, the Village of Chatham is in full accord with the City of Springfield that the common good of the community at large requires immediate adoption and enforcement of water conservation regulations, and the Village of Chatham desires to implement and enforce standards no less stringent than the City of Springfield, not only by reason of its contractual obligations to do so but in recognition of the common goal of conserving water to avoid even more severe shortages and hardships in future months;

NOW, THEREFORE, be it ordained by the President and Board of Trustees of the Village of Chatham as follows:

MANDATORY RESTRICTIONS FOR WATER USE

A. Definitions:

"LANDSCAPE." For purposes of this Ordinance the term "Landscape" shall include sodded and seeded lawns, gardens, trees, shrubs and other living plants.

"PERMITTED HOURS OF WATER USE." A time period of 7:00 a.m. to 10:00 a.m. and a time period of 7:00 p.m. to 10:00 p.m.

B. Landscape Irrigation Prohibited: The use of water from the Village water supply for landscape irrigation by retail water service customers is hereby prohibited except for the following:

1. Designated Irrigation Days: Irrigation utilizing individual sprinklers or sprinkler systems for landscape is permitted during the following times:

<u>Street Address</u>	<u>Designated Day</u>	<u>Permitted Hours of Water Use</u>
Odd Number	Saturday	7:00 a.m.-10:00 a.m. & 7:00 p.m.-10:00 p.m.
Even Number	Sunday	7:00 a.m.-10:00 a.m. & 7:00 p.m.-10:00 p.m.

Notwithstanding the above, irrigation of lawns, gardens, landscaped areas, trees, shrubs, or other plants is permitted at anytime except on Mondays if:

- (a) a hand-held hose is used; or
- (b) A hand-held, faucet-filled bucket of five (5) gallons or less is used; or
- (c) a drip irrigation system is used, which is a soaker-type hose that when in use does not result in an aerial dissipation of water.

2. Landscape Permits: Upon issuance of a permit by the Village the following uses of water shall be permitted; except on Mondays:
 - (a) The watering of new landscape for no more than twenty-one (21) consecutive days during permitted hours of water use. The permit fee shall be \$25.
 - (b) The watering of landscape when required for chemical application for no more than three (3) consecutive days during permitted hours of water use. The permit fee shall be \$10.
3. Commercial Exceptions: The use of water is permitted for irrigation, except on Mondays, by commercial nurseries, commercial sod farmers and such similar landscape businesses during permitted hours of water use.
- C. Washing Vehicles Prohibited: The use of water from the Village water supply for washing vehicles including automobiles, trucks, trailers, boats, and other types of mobile equipment by retail water service customers is hereby prohibited except for the following:
 1. Washing Vehicles on Designated Days: The washing of vehicles and other types of mobile equipment on designated weekend days during permitted hours of water use. Such washing shall be done with a hand-held bucket, or a hand-held hose equipped with a positive shutoff nozzle for quick rinses.
 2. Commercial or Health Exceptions: The use of water is permitted anytime at a commercial car wash. In addition, the use of water is permitted where the health, safety and welfare of the public is contingent upon frequent vehicle cleanings, such as garbage trucks and vehicles or transport food and perishables.
- D. Swimming Pool Restrictions: The use of water from the Village water supply for swimming pools is hereby prohibited except for the following:
 1. Residential Use: The refilling or adding of water to residential swimming and/or wading pools on designated weekend days during permitted hours of water use.
 2. Commercial Exception: The refilling or adding of water, except on Mondays, to commercial swimming and/or wading pools provided that watering is conducted Tuesday through Sunday during permitted hours of water use.

E. Commercial and Other Water Use Restrictions: The following uses of water shall be prohibited:

1. Water used for street sweeping, routine sewer cleaning, or flow testing of hydrants, except where protection of the public health and safety require.
2. Water used to serve restaurant customers at any time except when specifically requested by the customer.
3. Water used for public and private building air conditioning systems where the building temperature is maintained below 78 degrees whenever the cooling system is operational. Buildings requiring cooler temperatures may be exempted upon the approval of the Village.
4. Water used for consolidation of backfill, dust control or other nonessential uses associated with construction if suitable alternatives exist.
5. Monday is designated as a "dry day" during which all outdoor water use that may otherwise be permitted is prohibited as provided in this Ordinance.

F. Waste of Water Prohibited: The following uses of water are defined as "waste" of water and are prohibited:

1. Allowing water to run off to a gutter, ditch or drain during irrigation.
2. Failure to repair a controllable leak within a customer's property.
3. Washing buildings, sidewalks, driveways, parking areas, tennis courts, patios or other paved areas, except to alleviate immediate fire hazards.
4. Operation of any ornamental fountain or other structure making similar use of water. The use of treated water to fill, refill, to maintain the level of any fountain is prohibited.

PENALTIES

A. Any retail water service customer who violates any provision of this ordinance regulating the use of water shall be subject to the following administrative penalties:

1. First Offense - \$50 per occurrence.
2. Second Offense - \$100 per occurrence.
3. Third Offense - \$500 per occurrence and service termination of two days.

Payment of said administrative penalty shall be made to the Village of Chatham within 10 days of receipt of the Notice of Violation. If no payment is made within 10 days then said administrative penalty shall be added to the next monthly billing for the location where the violation occurred. Customers disputing the issuance of the Notice of Violation shall be entitled to an administrative hearing before the Board of Trustees to determine the validity of the Notice. The request for an administrative hearing must be filed within ten (10) days of receipt of the Notice of Violation.

- B. Any retail water service customer residing within the corporate limits of the Village of Chatham who violates the provisions of this Ordinance and fails to either pay the appropriate administrative penalty within ten (10) days of receipt of the Notice of Violation or fails to request an administrative hearing as set forth above shall be fined, upon conviction, not less than \$100 nor more than \$500 per occurrence.

All funds collected pursuant to the above administrative penalties shall be deposited into the General Revenue Fund of the Village.

The provisions of this Ordinance shall be deemed Rules and Regulations of the Village with regard to the delivery of water service.

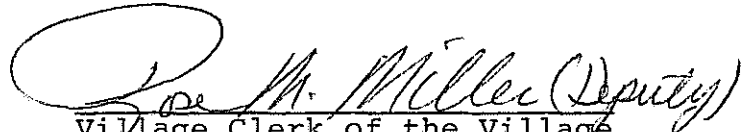
In accordance with authority provided in State law (Ill. Rev. Stat. 1987, Ch. 24, par. 1-2-4), this Ordinance shall take effect immediately upon its passage, due to the urgency of implementing immediate mandatory water conservation measures as a result of a shortage in the municipal water supply, and shall remain in full force and effect until further notice as set forth in this Ordinance, which shall be applicable to all water customers of the Village of Chatham.

The Village President is directed to cause this Ordinance to be implemented upon the effective date of this Ordinance, and the Clerk is directed to attend to publication as soon as conveniently possible.


PASSED by the President and Board of Trustees of the Village of Chatham, Illinois on the 23 day of August, 1988.

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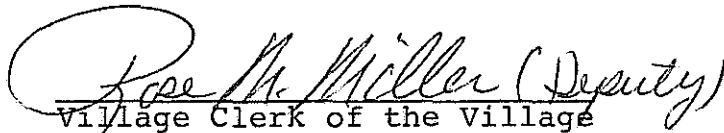
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Village Clerk of the Village
of Chatham, Illinois

APPROVED by the President of the Village of Chatham, Illinois this 23 day of August, 1988.


President of the Village of
Chatham, Illinois

ATTEST:


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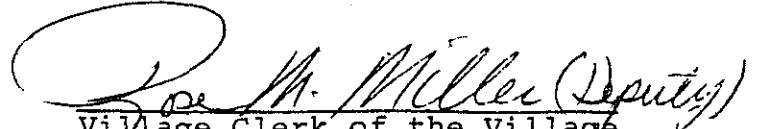
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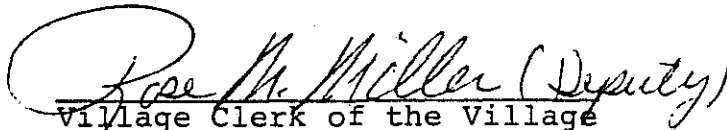
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