

VILLAGE OF BURNHAM

ORDINANCE NO. 2016-O-006

AN ORDINANCE ADDING SECTION 98-103- CROSS CONNECTION CONTROL, SECTION 98-104, SECTION 98-105, SECTION 98-106, SECTION 98-107, SECTION 98-108, SECTION 98-109, SECTION 98-110, SECTION 98-111 AND SECTION 98-112 OF THE CODE OF ORDINANCES, VILLAGE OF BURNHAM, ILLINOIS.

WHEREAS, the Village of Burnham, Cook County, Illinois (the “Village”) has elected by referendum on March 11, 1980 to become a home rule unit, and, accordingly, pursuant to the provisions of the Constitution of the State of Illinois of 1970, particularly, Article VII, Section 6(a) thereof, the Village is a home rule unit; and

WHEREAS, pursuant to the powers of a home rule unit set forth in Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970, the Village may exercise any power and perform any function pertaining to its government and affairs including, but not limited to the power to regulate for the protection of the public health, safety, morals and welfare; to license; to tax; and to incur debt; and

WHEREAS, the Corporate Authorities of the Village deemed it advisable and in the best interests of the Village to add Cross Connection Controls to Chapter 98-Utilities, Article I – In General , Section 98-103, Section 98-104, Section 98-105, Section 98-106, Section 98-107, Section 98-108, Section 98-109, Section 98-110, Section 98-111 and Section 98-112.

BE IT ORDAINED by the Village President (Mayor) and Board of Trustees of the Village of Burnham, Cook County, Illinois, in the exercise of its home rule power, as follows:

Section 1. The Corporate Authorities of the Village hereby find that all of the recitals contained in the preambles of this Ordinance are true, correct, and complete and do hereby incorporate them into this Ordinance by this reference as if they were set forth verbatim in this section.

Section 2. The Code of Ordinances, Village of Burnham, Illinois is hereby amended by adding sections to be numbered Sec. 98-103, Sec 98-104, Sec 98-105, Sec 98-106, Sec 98-107, Sec 98-108, Sec 98-109, Sec 98-110, Sec 98-111 and Sec 98-112 which section reads as follows:

Section 98-103 CROSS CONNECTION CONTROL

Sec. 98-104. - Compliance with existing laws.

A connection with a public water supply system shall comply with the existing laws and rules and the provisions of the Code of the Village of Burnham.

Sec. 98-105. - Cross-connections prohibited.

Cross-connection of the public water supply system and any other water supply system or source including, but not limited to, the following are prohibited:

- (1) Between a public water supply system and a secondary water supply.
- (2) By submerged inlet.
- (3) Between a lawn sprinkling system and the public water supply system.
- (4) Between a public water supply and piping which may contain sanitary waste or a chemical contaminant.

- (5) Between a public water supply system and piping immersed in a tank or vessel which may contain a contaminant.

Sec. 98-106. - Local cross-connection control program.

- (a) The Village of Burnham shall develop a comprehensive control program for the elimination and prevention of all cross-connections, and removal of all existing cross-connections and prevention of all future cross-connections.
- (b) All plumbing installed within the Village of Burnham, Cook County, Illinois, shall be installed in accordance with Illinois Plumbing Code, 77 Ill. Adm. Code 890. If, in accordance with the Illinois Plumbing Code or in the judgment of the waterworks engineer, an approved backflow prevention device is necessary for the safety of the public water supply system, the water customer shall, at his own expense, install such an approved device at a location and in a manner in accordance with the Illinois Plumbing Code, Illinois Environmental Protection Agency and all applicable local regulations, and shall have inspections and tests made of such approved devices upon installation and as required by the Illinois Plumbing Code, Illinois Environmental Protection Agency and local regulations.
- (c) No person, firm or corporation shall establish or permit to be established or maintained or permit to be maintained any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of the Village may enter the supply or distribution system of said municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the waterworks engineer and the state environmental protection agency.
- (d) The water department of the Village or any representative thereof shall have the authority to inspect any premises to determine the presence of an existing cross-connection and to order the elimination of such cross-connection.
- (e) The waterworks engineer is authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this section is known to exist, and to take such other precautionary measures as he may deem necessary to eliminate any danger of the contamination of the public water supply distribution mains. Water

service to such property shall not be restored until conditions have been eliminated or corrected in compliance with the provisions of this section, and until a reconnection fee of five hundred dollars (\$500.00) is paid to the Village. Immediate disconnection with verbal notice can be effected when the waterworks engineer is assured that imminent danger of harmful contamination of the public water supply system exists. Such action shall be followed by written notification of the cause of disconnection. Immediate disconnection without notice to any party can be effected to prevent actual or anticipated contamination or pollution of the public water supply, provided that, in the reasonable opinion of the waterworks engineer or the state environmental protection agency, such action is required to prevent actual or potential contamination or pollution of the public water supply, neither the Village or the waterworks engineer, or its agents or assigns shall be liable to any customer for any injury, damages or lost revenues which may result from termination of said customer's water supply in accordance with the terms of this division, whether or not said termination of said customer's water supply is in accordance with the terms of this section, whether or not said termination was with or without notice.

- (f) The customer responsible for backsiphoned or back pressured material or contamination through backflow, 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 must bear the cost of clean-up of the potable water supply system.

Sec. 98-107. - Corrections and protective devices.

Any user of Village water shall obtain written approval from the water department 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 Village shall physically separate the Village water supply from the on-site piping system in such manner that the two (2) systems cannot be connected by any unauthorized person.

Sec. 98-108. - Piping identification.

When a secondary water source is used in addition to the Burnham water supply, exposed Village water and secondary water piping 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 Village water supply at the service connection in the manner acceptable to the water department.

Sec. 98-109. - Private water storage tanks.

A private water storage tank supplied from the Village water supply system shall be deemed a secondary water supply unless it is designed and approved for potable water usage.

Sec. 98-110. - Elimination of existing cross-connections.

Within one year from the effective date of this division, all existing cross-connections to the Village water supply systems shall be eliminated. The expenses of such elimination shall be that of the owner of the property on which such cross-connection exists.

Sec. 98-111. - Inspection.

The water department of the Village or any representative thereof shall have the authority to inspect any premises to determine the presence of an existing cross-connection and to order the elimination of such cross-connection.

Sec. 98-112. - Discontinuance of water service.

The water department is hereby authorized to discontinue water service after a reasonable notice to any person owning any property where a cross-connection in violation of this Code exists. The water department may take such other precautionary measures as necessary to eliminate any danger of the contamination of the Village water supply system. Water service to such property shall not be restored until such cross-connection has been eliminated.

Section 3. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 4. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance or the application thereto any person or circumstance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such decision shall not affect the validity of the remaining sections, subsections, paragraphs, sentences, clauses or phrases of this Ordinance or the application of such portion to other persons or circumstances but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any portion.

Section 5. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

Section 6. This Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such Ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or, (b) legislate in a manner or regarding a manner not delegated to municipalities by state law. It is the intent of the Corporate Authorities of the Village of Burnham, Cook County, Illinois that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, that this Ordinance should supersede state law in that regard within its jurisdiction.

Section 7. This Ordinance shall be published in pamphlet form by the authority of the Village President (Mayor) and the Board of Trustees of the Village of Burnham, Cook County, Illinois.

PASSED By the Village President (Mayor) and Board of Trustees of the Village of Burnham, Cook County, Illinois, this 25thth day of October, 2016.

ROLL CALL VOTE:

AYES: Trustee Paris Ellison, Graciela Garcia, Brenda Greer and Carmella Richardson

NAYS: None

ABSENT: Trustee John Cap Jr., and Travis Claybrooks



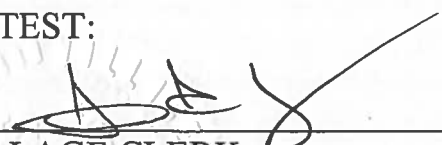
VILLAGE CLERK

APPROVED by me this 25th day of October, 2016.



VILLAGE PRESIDENT (MAYOR)

ATTEST:



VILLAGE CLERK
(SEAL)

Recorded in Village Records: October 25, 2016.

Published in pamphlet form by authority of the Village President (Mayor) and
Board of Trustees of the Village of Burnham, Cook County, Illinois on
25th, October, 2016

ATTEST:



VILLAGE CLERK



(SEAL)