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(ORDINANCE) (RESOLUTION) NO.

(A) (AN) (ORDINANCE) (RESOLUTION) TO ESTABLISH

RULES, RATES AND REGULATIONS FOR THE OPERATION

OF      SYSTEM

BE IT (ORDAINED) (RESOLVED), by the Board of (Trustees) (Directors),      , as follows:

SECTION 1. Application for Service

Water service shall be furnished only to (Village) (District) (Corporation) (members) (users) upon filing of an application and water users agreement with the Secretary of the (Village) (District) (Corporation) upon a form to be supplied by the (Village) (District) (Corporation).

SECTION 2. Initial and Minimum Charges Whether Water Used or Not

The rates as shown in the rate schedule in Section 8 of this (ordinance) (resolution) shall be paid by each customer, who has signed a User’s Contract, beginning at the time the (Village) (District) (Corporation) makes the service available to the customer.

The minimum rate will be paid by those customers not using the service even though they may not be connected to the system, provided the service is available from the (Village) (District) (Corporation).

There shall be a $       tap-on-fee, for service to each property in which an application and water user's agreement has been filed prior to the established cut off date or completion of final plans whichever comes first.

The tap-on-fee for service after the established cutoff date or completion of final plans whichever comes first, shall be $      for each 5/8 or 3/4" meter.

For meters larger than 3/4" the tap-on-fee will be the actual cost of installing the meter and appurtenances. In addition to the above charges a $      deposit shall be made by the (member) (user) to guarantee payment of water bills. The deposit shall be returned to (member) (user) without interest upon termination of water service and all accounts of that (member) (user) being paid.

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SECTION 3. (Village’s) (District’s) (Corporation’s) Responsibility and Liability

A. Ownership, Installation and Maintenance. The (Village) (District) (Corporation) shall install, own and maintain the complete water system, water mains, and service lines to the property lines or a mutually agreed upon point subject to the Board of (Trustees) (Directors) determination that a particular service is economically feasible to install. The (Village) (District) (Corporation) shall furnish, install and maintain a meter and appurtenances including a shutoff valve. The shutoff valve shall be installed on the (member's) (user's) property line or such other point determined by a duly authorized representative of the (Village ) (District) (Corporation). The meter may be located near the shutoff valve or within the (members) (users) premises as determined by the (Village) (District) (Corporation) representative. The meter and shutoff valve must be located at a point where it is readily accessible.

B. Refusal of Service. The (Village) (District) (Corporation) may at any time refuse additional service(s) to any applicant if in the judgment of the

Board of (Trustees) (Directors) the capacity of the system will not permit such use.

C. Liability. All water service supplied by the (Village) (District)

 (Corporation) shall be upon the express condition that the (Village) (District) (Corporation) shall not be liable nor shall any claim be made against it for damages or injury caused by reason of shutting off of water for repair, relocation, or expansion of any part of the system, or failure of any part of the system or for concentration of water for such purposes as firefighting or restricted use of water.

D. Use of Water on (Members) (Users) Premises. The (Village) (District) (Corporation) shall reserve the right to use the water from the (members) (users) facilities at any time deemed necessary. No charge shall be made by the (member) (user) for the use of these facilities and no charge shall be made by the (Village) (District) (Corporation) for the water used by the (Village) (District) (Corporation).

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SECTION 4. (Member) (User) Responsibility for:

A. Installing and Maintaining Service Lines. The (member) (user) shall be responsible for installation and maintenance of service lines between the curb stop and the residence or business. Such service lines must be at least 3/4" in diameter, and must be installed at a minimum depth of       feet. Service lines must have a minimum working pressure rating of 160 psi at

73.4° F and must be constructed of one of the following types of materials: copper, (Type K), polyvinyl chloride (PVC), polyethylene or polybutylene. Service lines must not be covered until they are inspected and approved by a duly authorized (Village) (District) (Corporation) representative. The (member) (user) will not connect any service line or any plumbing connected with the service line to any other water source. The service line must meet any requirements of the State of Illinois, Environmental Protection Agency.

B. Provisions for Location of Meter. The (member) (user) shall permit the meter to be located upon their property.

C. Easements. The (member) (user) shall give such easements and rights-of-way as necessary to the (Village) (District) (Corporation) and allow access for the purposes of construction, repair, maintenance, meter reading, relocation or expansion of the water system. The necessity shall be determined by the Board of (Trustees) (Directors).

D. Damage to (Village) (District) (Corporation) Property. No (member) (user) (person) shall tamper, adjust, damage, or in any manner interfere with the components or operations of the water system owned by the (Village) (District) (Corporation). The shutoff valve shall be opened only by a duly authorized representative of the (Village) (District) (Corporation). Penalty for tampering, damaging, adjusting, or in any manner interfering with the components or operation of the system shall be up to $      payable to the (Village) (District) (Corporation). If the penalty is not paid within 30 days after the amount is determined, the (Village) (District) (Corporation) shall discontinue the water service. The amount of penalty shall be determined by the Board of (Trustees) (Directors).

 In addition to the penalty the (member) (user) responsible shall reimburse the (Village) (District) (Corporation) for the actual cost of repairing any damage arising from the (members) (users) (persons) act. (Members) (Users) shall report any known evidence of tampering, adjusting, damaging, or interference with operation of the system, owned by the (Village) (District) (Corporation) to the (President) (Chairperson) of the Board of (Trustees) (Directors). Any malicious act or damage to the system that is not appropriately punishable by the foregoing shall be prosecuted through a court of law.

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E. Specified Uses of Water. Water purchased from the (Village) (District) (Corporation.) may be used for ordinary domestic, industrial or farm use upon the premises of the (member) (user) provided:

(1) No (member) (user) shall resell on permit the resale of water purchased from the (Village) (District) (Corporation).

(2) Each dwelling, apartment, business, and farm located outside and separate from a single family living unit is a separate unit. The (member) (user) must make application for service for each unit, and each unit shall have aseparate cutoff valve, meter and service line, and the (member) (user) shall pay the minimum monthly rate and other rates and fees herein established for each unit.

For purposes of this section the following definitions apply:

Dwelling: Single family living unit.

Apartment: Single family living unit that may be an individual living unit or part of a multiple family living complex.

Business: Business outside and separate from a single family living unit.

Farm: Consists of one single family dwelling and all related farm enterprises served by that meter and service line.

F. Cross-Connections.

(1) Definitions. For the purpose of this subsection the following definitions shall apply:

(a) "Backflow" shall mean water of questionable quality, wastes or other contaminants entering a public water supply system due to a reversal of flow.

(b) "Cross-connection" shall mean a connection or arrangement of piping or appurtenance through which a backflow could occur.

(c) "Safe air gap" shall mean the minimum distance of awater inlet or opening above the maximum high water level or overflow rim in a fixture, device or container to which public water is furnished which shall be at least two times the inside diameter of the water inlet pipe; but shall not be less than one inch and need not be more than 12 inches.

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(d) "Secondary water supply" shall mean a water supply system maintained in addition to a public water supply, including but not limited to, water systems from ground or surface sources not meeting the requirements of Act No. 98 of the Public Acts of 1913, as amended being Sections 325.201 to 325.214 of the Compiled Laws of 1949, or water from a public water supply which in any way has been treated, processed or exposed to any possible contaminant or stored in other than an approved storage facility.

(e) "Submerged inlet" shall mean a water pipe or extension thereto from a public water supply terminating in a tank, vessel, fixture or appliance which may contain water of questionable quality, waste or other contaminant and which is unprotected against backflow.

(f) "Water Utility" shall mean the (Village)(District)(Corporation).

(2) Cross-Connections Prohibited. Cross-connection of public water supply systems and any other water supply system or source including, but not limited to, the following are prohibited:

(a) Between a public water supply system and a secondary water supply.

(b) By submerged inlet.

(c) Between a lawn sprinkling system and the public water supply system.

(d) Between a public water supply and piping which contain sanitary waste or a chemical contaminant.

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

(3) Cross-Connection Control Program. The water utility 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.

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(4) Corrections and Protection Devices. Any (member) (user) of the water utility water shall obtain written approval from the water utility 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 water utility shall physically separate the water-system from the on-site piping system in such manner that the two systems cannot be connected by any unauthorized person.

(5) Piping Identification. When a secondary water source is used in addition to the water supply, exposed water utility 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 water utility water supply at the service connection in a manner acceptable to the water utility.

(6) Private Water Storage Tanks. A private water storage tank supplied from the water utility water supply system shall be deemed a secondary water supply unless it is designed and approved for potable water usage.

(7) Elimination of Existing Cross-Connections. Within one year from the effective date of this Section all existing cross-connections to the water utility water supply systems shall be eliminated. The expenses of such elimination shall be that of the owner of the property on which such cross-connections exist.

(8) Inspection. The water utility or any representative thereof shall have the authority to inspect any premises to determine the presence of any existing cross-connection and to order the elimination of such cross-connection.

(9) Discontinuance of Water Service. The water utility shall discontinue water service after a reasonable notice to any person owning any property where a cross-connection in violation of this Code exists or where the (member) (user) refuses to allow an inspection to determine the presence of a cross-connection. The water utility may take such other precautionary measures as necessary to eliminate any danger of the contamination of the water utility water supply system. Water service to such property shall not be restored until such cross-connection has been eliminated.

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SECTION 5. Extension of Mains

A. Determination of Who Pays Expense of Extension. The Board of (Trustees) (Directors) shall first determine if an extension of water main is economically feasible based on the estimated cost of the extension and the number of existing potential (member) (users) that will use water along the extension. If the extension is economically feasible then the (Village) (District) (Corporation) may install and pay the cost of the extension at the discretion of the Board of (Trustees) (Directors). If the (Village) (District) (Corporation) elects not to pay the cost of extending the water main then the person or persons desiring water service shall install the extension at their own personal expense upon written consent by the Board of (Trustees) (Directors). The (Village) (District) (Corporation) shall not pay for any extensions to an undeveloped area such as a subdivision being developed unless there are sufficient existing residents or businesses to make the extension economically feasible.

B. Requirements if Extension is Installed by Someone Other than the (Village) (District) (Corporation).

(1) The (Village) (District) (Corporation) must approve all plans and specifications for any extensions.

(2) Before any extensions are installed, the plans and specifications must be reviewed and approved by the State of Illinois, Environmental Protection Agency.

(3) Ownership, rights-of-way, and title must be conveyed to the (Village) (District) (Corporation) for all extensions installed by anyone other than the (Village) (District) (Corporation). The (Village) (District) (Corporation) will maintain the mains thereafter.

(4) No extension will be permitted if in the opinion of the Board of (Trustees) (Directors), the system does not have the necessary capacity to serve the proposed extension.

SECTION 6. Change in Occupancy

A. Notice to (Village) (District) (Corporation). Any (member) (user) requesting a termination of service shall give written notice to the (Village) (District) (Corporation) ten (10) days prior to the time such termination of service is desired. The meter shall be read by the (Village) (District) (Corporation) and the (member) (user) will be billed.

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B. Responsibility for Payment of Services Already Consumed.

 Responsibility for payment for water consumed prior to the date of termination shall be with the property owner as well as the (member) (user).

C. Charges for Change. There shall be no charge for transferring the water service to the subsequent (member) (user).

SECTION 7. Payment of Bills

A. Date Due. The meters will be read by the (Village) (District) (Corporation) on or about the       day of each month. If weather conditions or other circumstances prevent the reading of meters then each water bill will be estimated by the (Village) (District) (Corporation). Bills will be mailed by the       day of each month and will be delinquent 15 days after mailing. Bills will be paid to the Treasurer of the (Village) (District) (Corporation) or other designated representative.

B. Penalties for Late Payment. There will be a ten percent (10%) penalty added to each bill that is. unpaid 15 days after mailing. If any bills remain unpaid 30 days after mailing, the water supply to the property affected will be shutoff by the (Village) (District) (Corporation) and the service will not be restored until the delinquency and penalty is paid in full. In addition a $5 service fee will be added to cover the cost of restoring service. Bills remaining unpaid 30 days after rendition shall constitute a lien upon the real estate to which the service has been rendered. The (Secretary) (Clerk) is hereby authorized and directed to file a notice of such lien in the Office of the       ,       County, Illinois, and to pursue such legal action as is necessary to collect the delinquent charges. (If a non-public body - If after 60 days from the date of mailing, the account remains unpaid, all services under that membership shall be shutoff and the membership cancelled.)

SECTION 8. Rate Schedule

The following shall be the rates for water supplied by the (Village) (District)

(Corporation):

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The minimum monthly bill will be as follows:

 5/8" or 3/4" outlet meter $

 1" outlet meter $

 Larger outlet meter $

The minimum monthly bill will be payable irrespective of use.

The monthly bill will be computed on the following rate schedule:

 First       gallons per month (minimum) $

 Next       gallons per month $      per 1,000

 gallons

 Next       gallons per month $      per 1,000

 gallons

 Next       gallons per month $      per 1,000

 gallons

 All over       gallons per month $      per 1,000

 gallons

Bulk water $      per       gallons

 Fire Hydrant Rental $      per hydrant per year.

Passed by the Board of (Trustees) (Directors) this      day of      , 19     .

 (President) (Chairperson)

(SEAL)

(Secretary)(Clerk)

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