

**CHAPTER 52: WATER REGULATIONS**

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**§ 52.01 INTRODUCTORY PROVISIONS**

- (A) Title.** This chapter shall be officially known and cited as the Water Use Ordinance of Lake County, Illinois. References made herein to "this chapter" shall be interpreted as referring to the Water Use Ordinance.
- (B) Authority.** This chapter is adopted pursuant to the statutory authority conferred by the Illinois Counties Code, 55 ILCS 5, including without limitation Division 5-15 of such Code (55 ILCS 5/5-15001 et seq.).
- (C) Applicability and Jurisdiction.** This chapter shall apply to all premises served or supplied by public water systems owned and operated by Lake County.
- (D) Minimum requirements.** The standards of this chapter are minimum requirements. The issuance of any permit, certificate or approval in accordance with the standards and requirements of this chapter shall not relieve the recipient of such permit, certificate or approval from the responsibility of complying with all other applicable requirements of any other local, county, state or federal agency, having jurisdiction over the structures or land uses for which the permit, certificate or approval was issued.
- (E) Purpose.** The purpose of this chapter is to define and set forth the regulations of the county concerning connection to, use, and maintenance of its public water supply system and inspection and maintenance of water services connected directly or indirectly thereto.
- (F) Word usages and construction of Language.**
  - (1) Meanings and intent. All provisions, terms, phrases and expressions contained in this chapter shall be construed according to the purpose set out in division (E).

- (2) Headings, illustrations and text. In case of any difference of meaning or implication between the text of this chapter and any heading, drawing, table, figure, or illustration, the text shall control unless such heading, drawing, table, figure, or illustration is deemed by the Public Works Director to provide greater protection to the safe, efficient, and effective operation of the public water supply system.
- (3) Lists and examples. Unless otherwise specifically indicated, lists of items or examples that use terms such as "including," "such as," or similar language are intended to provide examples. They are not intended to be exhaustive lists of all possibilities.
- (4) Computation of time. The time in which an act is to be done shall be computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday, or holiday observed by the county, that day shall be excluded.
- (5) References to other regulations, publications and documents. Whenever reference is made to a resolution, ordinance, statute, regulation, or document, that reference shall be construed as referring to the most recent edition of such resolution, ordinance, statute, regulation, or document or to the relevant successor document, unless otherwise expressly stated.
- (6) Delegation of authority. Whenever a provision requires the head of a department or another officer or employee of the county to perform an act or duty, that provision shall be construed as authorizing such officer, department head or employee to delegate that responsibility to others over whom they have supervisory authority.
- (7) Technical and nontechnical terms. Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning. (See also division (I), "Definitions.")
- (8) Public officials and agencies. All public officials, bodies, and agencies to which references are made are those of Lake County, unless otherwise expressly provided.
- (9) Mandatory and discretionary terms. The words "shall," "will," and "must" are mandatory, unless the context clearly indicates the contrary. The words "may" and "should" are advisory and discretionary terms.
- (10) Conjunctions. Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:
  - (a) "And" indicates that all connected items, conditions, provisions, or events apply; and
  - (b) "Or" indicates that one or more of the connected items, conditions, provisions, or events may apply.
- (11) Tenses and plurals. Words used in one tense (past, present, or future) include all other tenses, unless the context clearly indicates the contrary. The singular includes the plural, and the plural includes the singular.
- (12) Numerical calculations. Unless otherwise specifically indicated, for standards involving the use of numbers, all calculations shall be rounded to the nearest hundredths.

**(G) Conflicting provisions.**

- (1) Conflict with state or federal regulations. If the provisions of this chapter are inconsistent with those of the state or federal government, the more restrictive provision shall control, to the extent permitted by law.
- (2) Conflict with other county regulations. If the provisions of this chapter are inconsistent with one another, or if they conflict with provisions found in other adopted ordinances or regulations of the county, the more restrictive provision will control. No text amendment, variance or condition of approval placed on a permit or other form of county approval under this chapter shall have the effect of nullifying, abrogating or diminishing the provisions of any other county ordinance.

**(H) Transitional provisions.**

- (1) Violations continue. Any violation of the previous water use regulations of the county shall continue to be a violation under this chapter and shall be subject to penalties and enforcement under ~~§ 52-9952.10~~, unless the use, construction or other activity is consistent with the express terms of this chapter, in which case enforcement action shall cease, except to the extent of collecting penalties for violations that occurred before the adoption of this chapter.

**(I) Definitions.**

**Definitions:** Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

**ADMINISTRATOR.** The Administrator of the USEPA.

**AGENCY.** Illinois Environmental Protection Agency.

**AGENCY DIRECTOR.** The Director of the Illinois Environmental Protection Agency.

**APPROVED BACKFLOW PREVENTION DEVICE.** Any backflow prevention device or method authorized under the Illinois Plumbing Code, 77 Ill. Adm. Code 890 and the Agency.

**APPROVING AUTHORITY.** The County Board of Lake County, Illinois.

**AUXILIARY WATER SYSTEM.** Any water source or system on or available to the premises other than the public water supply system and includes the water supplied by the system. These auxiliary waters may include water from another purveyor's public water supply system; or water from a source such as wells, lakes, or streams, or process fluids; or used water. These waters may be polluted or contaminated or objectionable or constitute a water source or system over which the county does not have control.

**BACKFLOW.** The flow of water or other liquids, mixtures, or substances into the distribution pipes of a public water supply system from any source other than the intended source of the public water supply system.

**B-BOX.** A valve box used to access a ~~corporationcurb~~ stop. Also called a BUFFALO BOX or SHUT-OFF BOX.

**CLOSED-LOOP AIR CONDITIONING SYSTEM.** An air conditioning system in which the heat exchange fluid is used in more than one cooling cycle before being discharged to waste.

**CONSUMER or CUSTOMER.** Any of the owner, official custodian, user or person in control of any premise supplied by or in any manner connected to a public water supply system.

**CONSUMER'S WATER SYSTEM.** Any water system located on the customer's premises. A building plumbing system is considered to be a customer's water system, as is the service connection (exclusive of the b-box, corporation stop, and the meter).

**CONTAMINATION.** An impairment of the quality of the water by entrance of any substance to a degree which could create a health hazard.

**CORPORATION STOP.** A shutoff valve attached to ~~a service connection from~~ a water main ~~to a building (often installed near the curb), which may be operated by a valve key to start or stop flow in the water-supply lines of a building.~~ Also called CURB STOP. Often used for the connection of a water service to a water main.

**COUNTY.** Lake County, Illinois.

**CROSS-CONNECTION.** Any physical connection or arrangement between at least two otherwise separate piping systems, one of which contains public water supply system water and the other a substance of unknown or questionable safety or quality, whereby there may be a flow from one system into the other. DIRECT CROSS-CONNECTION means a cross-connection formed when a water system is physically joined to a source of unknown or unsafe substance.

INDIRECT CROSS-CONNECTION means a cross-connection through which an unknown substance can be forced, drawn by vacuum or otherwise introduced into a safe public water system.

**CROSS-CONNECTION CONTROL DEVICE INSPECTOR (CCCDI).** A licensed plumber who is certified by the Agency and in accordance with Illinois Plumbing License Law, 225 ILCS 320/3(1) to inspect cross-connection control devices.

CURB STOP. A shutoff valve attached to a service connection from a water main to a building (often installed near the curb), which may be operated by a valve key to start or stop flow in the water-supply lines of a building.

DEPARTMENT OF PUBLIC WORKS (or "LCPW"). The Lake County Department of Public Works and persons under the direction or supervision of the Director.

**DIRECTOR.** The Director of the Lake County Public Works Department or his or her duly authorized representative.

**DOUBLE CHECK VALVE ASSEMBLY.** An assembly composed of single, independently acting check valves approved under ASSE Standard 1015 and authorized under the Illinois Plumbing Code. A DOUBLE CHECK VALVE ASSEMBLY must include tight shutoff valves located at each end of the assembly and suitable connections for testing the water-tightness of each check valve.

**ENGINEERING SUPERVISOR.** The manager of the Engineering Division of the Public Works Department.

**EASEMENT.** An acquired legal right (including prescriptive rights) for the specific use of land owned by others.

**FEDERAL ACT.** The Federal 1996 Safe Drinking Water Acts Amendments, and any amendments hereto.

**FIXED PROPER AIR GAP.** The unobstructed vertical distance through the free atmosphere between the water discharge point and the flood level rim of the receptacle.

**HEALTH HAZARD.** Any condition, device or practice in a water system or its operation resulting from a real or potential danger to the health and well-being of consumers. The word "severe" as used to qualify HEALTH HAZARD means a hazard to the health of the user that could be expected to result in death or significant reduction in the quality of life.

**INSPECTION.** A plumbing inspection to examine all materials, fixtures, piping and appurtenances, appliances and installations of a plumbing system for compliance with requirements of the Illinois Plumbing Code 77 Ill. Adm. Code 890.

**MILLIGRAMS PER LITER.** A unit of the concentration of water constituent. It is 0.001 g of the constituent in 1,000 ml of water. It has replaced the unit formerly used commonly, parts per million, to which it is approximately equivalent, in reporting the results of water analysis.

**NON-POTABLE WATER.** Water not safe for drinking, personal, or culinary use as determined by the requirements of 35 Ill. Adm. Code 604.

**ORDINANCE.** This chapter.

**PERMIT FEES.** The charge or charges composed of connection fees, inspection fees, and meter fees.

**PERSON.** Any and all persons, natural or artificial including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity.

**pH.** The intensity of the acid or base condition of a solution, calculated by taking the logarithm (base 10) of the reciprocal of the hydrogen-ion concentration expressed by one of the procedures outlined in the IEPA Division of Laboratories Manual of Laboratory Methods.

**PLUMBING.** The actual installation, repair, maintenance, alteration or extension of a plumbing system by any person. PLUMBING includes all piping, fixtures, appurtenances and appliances for a supply of water for all purposes, from the source of a private water supply on the premises or from the main in the street, alley or at the curb to, within and about any building or buildings where a person or persons live, work or assemble. PLUMBING includes all piping, from discharge of pumping units to and including pressure tanks in water supply systems. PLUMBING includes all piping, fixtures, appurtenances, and appliances for a building drain and a sanitary drainage and related ventilation system of any building or buildings where a person or persons live, work or assemble from the point of connection to such building drain to the building sewer or private sewage disposal system five feet beyond the foundation walls.

**POLLUTION.** The presence of any foreign substance (organic, inorganic, radiological, or biological) in water that tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water.

**POPULATION EQUIVALENT (PE).** A term used to evaluate the impact of industrial or other wastes on a treatment works or stream. ONE POPULATION EQUIVALENT is 100 gallons of sewage per day, containing 0.17 pounds of BOD and 0.20 pounds of total suspended solids.

**POTABLE WATER.** Water which meets the requirements of 35 Ill. Adm. Code 604 for drinking, culinary, and domestic purposes.

**POTENTIAL CROSS-CONNECTION.** A fixture or appurtenance with threaded hose connection, tapered spout, or other connection which would facilitate extension of the water supply line beyond its legal termination point.

**PROCESS FLUID(S).** Any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, pollution, or system hazard if introduced into the public or a consumer's potable water system. This includes but is not limited to:

- (a) Polluted or contaminated waters;
- (b) Process waters;
- (c) Used waters originating from the public water supply system which may have deteriorated in sanitary quality;
- (d) Cooling waters;
- (e) Questionable or contaminated natural waters taken from wells, lakes, streams, or irrigation systems;
- (f) Chemicals in solution or suspension;
- (g) Oils, gases, acids, alkalis and other liquid gaseous fluids used in industrial or other processes, or for firefighting purposes.

**PUBLIC WATER SUPPLY.** All mains, pipes and structures through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treatment plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing water for drinking or general domestic use and which serve at least 15 service connections or which regularly serve as least 25 persons at least 60 days per year. A PUBLIC WATER SUPPLY is either a "community water supply", ~~or~~ a "non-community water supply." ~~or a~~ "transient non-community water supply". The public water supply ends at the corporation stop or curb stop. For nonresidential buildings, the point of delivery ends at a valve in a valve vault or valve box.

**PUBLIC WORKS DEPARTMENT.** The Lake County Public Works Department and persons under the direction or supervision of the Director.

**RATE ORDINANCE.** The ordinance(s) or other official action(s) that the approving authority may adopt from time-to-time setting forth rate, charges, and other costs or expenses (including without limitation fines and penalties) to be imposed, charged, or assessed in connection with water service from the water facilities.

**RECORD DRAWING.** Construction drawings revised to reflect all changes made in the specifications and design drawings during the construction process, and showing the exact dimensions, geometry, and location of all elements of the work completed under the contract.

**REDUCED PRESSURE ZONE DEVICE (RPZ).** A device containing a minimum of two independently acting check valves together with an automatically operated pressure differential relief valve located between the two check valves and approved under ASSE Standard 1013. During normal flow and at the cessation of normal flow, the pressure between these two checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall

operate to maintain the pressure between the check valves at less than the supply pressure. The unit includes tightly closing shutoff valves located at each end of the device, and each device shall be fitted with properly located test cocks. Service connection means the opening, including all fittings and appurtenances, at the water main through which water is supplied to the user.

**RESIDENTIAL CUSTOMER EQUIVALENT (RCE).** A unit basis for billing sewage collection and treatment service which is equivalent to a single-family residential customer with an average sewage load of two and one-half times that of a "population equivalent", unless defined otherwise by an intergovernmental agreement with the county.

**RESIDENTIAL USER.** All dwelling units such as single family houses, mobile homes, apartments, permanent multi-family dwellings which discharges only domestic wastewater to the County's system.

**STATE ACT.** The Illinois Anti-Pollution Bond Act of 1970, and any amendments thereto.

**STATE LOAN.** The State of Illinois participation in the financing of the construction of water works as provided for by the Illinois State Act and for making such loans as filed with the Secretary of State of the State of Illinois.

**SURVEY.** The collection of information pertaining to a customer's piping system ~~regarding the location of all connections to the public water supply system and must include the location, type and most recent inspection and testing date of all cross-connection control devices and methods located within that customer's piping system,~~ extending from the watermain throughout the customers piping system. The purpose of the survey shall identify each connection to the public water supply system by type, piping materials, cross connection control devices, along with related test data and last date tested.

**SYSTEM HAZARD.** A condition through which an aesthetically objectionable or degrading material not dangerous to health may enter the public water supply system or a consumer's potable water system.

**ULTIMATE SERVICE AREA.** The total area delineated in the vicinity of any public water supply designed or intended to serve an existing or proposed water service area.

**USED WATER.** Any water supplied by a public water supply system to a consumer's water system after it has passed through the service connection and is no longer under the control of the water supply official custodian.

**USEPA.** The United States Environmental Protection Agency.

**WATER FACILITIES.** The public water system of the county and any or all of its component parts.

**WATER PURVEYOR.** The owner or official custodian of a public water system.

**WATER SERVICE CHARGE.** The charge periodically levied on all users of the water facilities in accordance with the current Rate Ordinance. The service charge may be established and changed from time-to-time by action of the approving authority. A WATER SERVICE CHARGE may also be referred to as a USER FEE.

**WATER SERVICE CONNECTION CHARGE.** The charge or charges assessed on customers newly connecting, changing use or enlarging an existing connection to the water facilities, which charge may be established and changed from time-to-time by action of the approving authority. A WATER SERVICE CONNECTION CHARGE may also be referred to as a CONNECTION FEE.

**WATER SERVICE PIPE.** The extension from the building to the curb stop for residential customers and for nonresidential buildings, the extension from the building to a valve vault or valve box. The WATER SERVICE PIPE is owned and maintained by the building or property owner.

**§ 52.02 CONNECTION TO WATER SYSTEM.**

**(A) Service connection permits and charges.**

- (1) No connection without permit. Connections to the county public water supply system shall be made after issuance of a permit by the county. Any connection shall be made in accordance with methods and materials that have been approved by the County. All such connections shall be made by ~~a licensed plumber or a bonded sewer and water contractor~~ utilizing a licensed plumbing contractor under the supervision of Public Works Director, and no connections shall be buried and backfilled until the work has been inspected to the satisfaction of the Public Works Director or his designee. The licensed plumbing contractor undertaking any connection shall submit a letter of intent in a form acceptable to the LCPW Director. Whenever any new connections to the county public water supply should hereafter be made, a connection fee shall apply, in accordance with the Rate Ordinance and be paid at the time a permit is issued by the Public Works Department. A connection fee shall apply to changes of existing building use, when such a change results in higher daily usage in accordance with §51.23(C).
- (2) Connections required.
  - (a) Existing houses, buildings and properties.
    1. The owner of all existing houses, buildings or properties located within service areas of the Lake County Public Works Department and abutting on any street, public easement or right-of-way in which (A) there is now located water facilities, or (B) the County contemplates the installation of water facilities within 24 months, is required to make a connection to the Water Facilities in accordance with the provisions of this chapter . In the event that (i) a building is demolished or (ii) an existing private well serving the property needs to be replaced or deepened in order to maintain compliance with the Lake County Health Department requirements, provided that the public water supply is within 250 feet of the property line of residences or within 1,000 feet of the property line of nonresidential properties, connection to the LCPW public water system is required.
    2. Upon connection to the Water Facilities, private wells previously serving the house, building or property shall be sealed in accordance with the requirements of the Lake County Health Department. A variance shall be required from both Lake County Health Department and Public Works Department to retain an existing well. If approved, a cross connection control device shall be installed in accordance with 52.05.

3. The owner shall pay all costs of connection, turn-on, meter, and watermain extension fees.

(b) Future houses, buildings and properties.

1. The owner of all houses, buildings or properties hereafter constructed within service and abutting on any street, public easement or right-of-way in which (A) there is now located water facilities, or (B) the county contemplates the installation of water facilities within 24 months is required to make a connection to the Water Facilities in accordance with the provisions of this chapter, in the event that (i) a building is demolished or (ii) an existing private well serving the property needs to be replaced or deepened in order to maintain compliance with the Lake County Health Department requirements, provided that the public water supply is within 250 feet of the property line of residences or within 1,000 feet of the property line of nonresidential properties.
2. Upon connection to the Water Facilities, any private wells previously serving the house, building or property shall be sealed in accordance with the requirements of the Lake County Health Department without cost or expense to the County.
3. The owner shall pay all costs of connection, turn-on, meter, and watermain extension fees.

(c) Watermain extension.

1. If requested water service requires the installation or extension of any watermain, any applicant whose building, structure or premises directly benefits from such main extension shall pay with such application the cost to install or extend the main (including, but not limited to construction cost, permit fees, and all engineering, administrative and legal expenses). Such payment shall be made in addition to any other connection, ~~turn-on or meter~~ or permit fees in force at the time of the application.
2. ~~Any extension of the main shall be installed in accordance with plans approved by the Public Works Department and shall be installed along the entire frontage of the premises to be served to the next adjacent property as determined by the Director.~~ Public water main extensions shall be constructed so as to extend to the farthest point of the parcel or development being serviced and shall terminate at a valve vault, unless otherwise approved by the Director. Design criteria shall include property depth, appurtenance spacing and long-term operation and maintenance. Any extension of the main shall be installed in accordance with plans approved by the Public Works Department.
3. When a water main pipe is extended and the extension may serve additional properties within the ultimate service area, those facilities must be installed to the standards of a public main consistent with the County's standards and policies. Such facilities must be installed within the public right of way or an easement for public water main. The water main shall be sized in such a way as to accommodate future connections. All water main infrastructure shall be conveyed to the Department of Public Works upon satisfactory completion.

(d) Plumbing Code compliance. No permit for connection to the Water Facilities shall be issued unless the house, building or property to receive service is in compliance with the Illinois Plumbing Code as adopted and amended by Lake County.

(e) Water service pipe length; The length of service connection pipes shall be as short as possible to minimize water age.

**(B) Application for water service.**

No water from the Water Facilities shall be turned on for service into any premises by any person but the Director. An application for water and/or sewer service account is necessary to have water turned on and shall be made to the Public Works Department prior to water turn on. Water will only be turned on between 7:30 a.m. and 3:00 p.m., Monday through Friday (except during county observed holidays) with a responsible adult representative of the applicant present. Water turn on shall be made by appointment. Applicant must appear in person at the administrative offices of the Public Works Department and present a valid driver's license or other state issued photo identification within 30 days of establishing service, otherwise the account is subject to disconnection without further notice.

**(C) Water service installation.**

The pipe, valves and fittings used for the service connection and b-box including materials and size, shall be as specified by the Public Works Department. ~~Any service connection into the water main shall be made by a licensed plumber or a bonded sewer and water contractor utilizing a licensed plumber.~~ The owner shall pay all costs associated with installing the service connection, including such services and materials as may be provided by the county.

**(D) Repairs to system.**

The owner of any house, building or property connected to the county public water supply system shall maintain the ~~service connection~~ water service pipe and all other appurtenances thereto (other than the b-box, corporation stop, and meter, which shall be and remain the property of the county) in good repair and protected from frost at the owner's expense. In the event that the county becomes aware of deficiencies in the service connection, the county shall notify the owner of such deficiencies, either in person or in writing. The owner shall have the deficiencies corrected within 48 hours after such notice or as otherwise determined by the Director, after which the water supply shall be shut off and shall not be turned on again until such time as the deficiencies are corrected.

**(E) Shut-off boxes.**

- (1) B-boxes shall be placed on every service pipe, and shall be located between the curb line and the sidewalk line or otherwise in a location approved by the Director. Such b-boxes shall be ~~Minneapolis pattern and located such that they are easily accessible for maintenance by the Public Works Department~~ installed in accordance with the standards and details of the Public Works Department.
- (2) If a customer or a customer's agent damages a b-box or corporation stop, then the Public Works Department shall cause the b-box or corporation stop to be repaired at the customer's expense.
- (3) If the b-box is located on private property, then the owner of such private property grants to the county a license to go upon such private property for any purposes of connecting or

disconnecting water service or repairing, replacing, or maintaining water facilities and such license shall be a precondition of any owner or user to connect to or remain connected to the county water service. Nothing contained herein shall be construed to require the county to make repairs of any water facilities located on private property. Furthermore, if there is more than one corporation stop located along a service connection, the county shall only be responsible for the maintenance and repair of the corporation stop closest to the watermain.

- (4) B-boxes and corporation stops shall be located outside of any paved, hard surface driveway approaches or driveway areas where a new water service connection is installed for any one- and two-family dwellings. In all new subdivisions, water service connections, b-boxes, and corporation stops must be utilized in their designed and approved locations.
- (5) No person may interfere with the Public Works Department's access to a b-box or corporation stop, including, but not limited to, camouflaging or otherwise concealing the location of a b-box. To the extent that a customer has directly or indirectly concealed or permitted the concealment, or otherwise interfered with access to a b-box in a manner that causes the Public Works Department to incur additional costs when accessing a b-box (including paving over any b-box or corporation stop), the Public Works Department has the discretion to charge the customer for such

**(F) Separate services required.**

A separate water service connection is required for every building or residence. Where a building contains more than one commercial or industrial user or where the building contains a combination of commercial or industrial and residential uses, the county may require separate service connections for each use.

**(G) Water service pipe disconnection.**

When water service pipes are abandoned or eliminated, disconnection must occur at the water main to prevent water stagnation without cost or expense to the County.

**(H) Duty to notify at change of use, ownership, tenant or process.**

Each customer is obligated to notify the county when the following occurs in connection with any premises from which such customer receives water service from the county:

- (1) Any structure or dwelling is to be sold, quit claimed, traded or otherwise transferred;
- (2) The use of the property has or will change from its existing use;
- (3) There is a change in process that impacts or can significantly impact the amount of water used or creates a new potential cross-connection as described in § 52.05;
- (4) There is a building expansion;
- (5) There is a change of tenant;
- (6) There are interior or exterior building changes that affect the use or water usage upon the premises.

**(I) Extensions of Water Mains**

- (1) Extensions of public water mains shall be made after issuance of a permit by the County. No connections shall be buried and backfilled until the work has been inspected to the satisfaction of the Public Works Director.
- (2) To provide adequate water service for possible future connections, the extension of any existing 8-inch diameter or larger water main within the public right of way or an easement for public water main shall be treated as a public water main extension and itself be a minimum of 8 inches in diameter. Lesser diameter may be allowed in instances where flows would not be sustained by 8-inch diameter main, and larger diameter main shall be provided if the Director determines that a demand exists for such larger diameter main.
- (3) Public water main extensions shall be constructed so as to extend to the furthest point of the parcel or development being serviced and shall terminate at a valve vault and hydrant for flushing. Design criteria shall include proper depth as well as maximum appurtenance spacing.
- (4) Public water main extensions shall be looped wherever possible and appropriate, at the discretion of the Engineering Supervisor.
- (5) Public water main extensions shall be designed to provide adequate capacity and maximize service to all potential properties ultimately to be served by the water main extension.
- (6) All proposed water mains shall be designed to the appropriate size practicable to reasonably provide service for the Ultimate Service Area(s), as directed by the County. The design engineer may be required to provide documentation if said water main is not proposed as required above.
- (7) Prior to the acceptance any water main, the developer shall conduct a pressure test of all water mains, whether public or private, and submit all accompanying reports to the Director for approval. Chlorination and leakage testing is required and shall comply with the standards of the Department. For inspection purposes, the developer and contractor shall provide proper access to each new structure.
- (8) All defects shall be repaired by the developer's contractor at the direction of the County. The developer's contractor shall re-inspect all repaired water mains and shall either provide the re-inspection data to the Director in accordance with section 52.02(H)(5) or shall have the appropriate jurisdiction confirm in writing to the Director that the repairs have been completed satisfactorily.
- (9) All fire hydrant leads shall be as short as is possible.

**(J) Submittal Requirements;**

Any applicant seeking County approval pursuant to this section shall submit the following documents:

- (1) Civil Engineering Plan Submittals: Subdivisions/Extensions/New Building Site Design
  - (a) Plans, drawings and documents shall be submitted to the County at the applicant's sole expense and shall include three (3) complete sets of 24" x 36" plans and profile drawings, signed and sealed by a Professional Engineer registered in Illinois. Electronic copies shall be submitted in PDF format. Plans shall contain the following information:
  - (b) The length, size and material of pipe; horizontal location; elevations of new structures and pipes; clearly identified distances between appurtenances; and appurtenance types and locations including unique numbers assigned to each for identification.
  - (c) All existing and proposed underground structures or facilities that may affect the location of the water main lines or are in the general area of construction.
  - (d) Elevation of the existing and proposed ground surfaces over the water main centerline.
  - (e) The County's specifications, general notes, notice and details for water main construction.
  - (f) Site location map, showing the project site or area in relation to the surrounding area.
  - (g) An approved preliminary plan and plat for the County's use in determining the applicable connection fee charges for the subject site.
  - (h) Four (4) copies of the original applications to the Illinois Environmental Protection Agency's Division of Water Pollution Control where a water main extension is being proposed. These applications shall indicate design calculations including population equivalents (PE), minimum and maximum pipe cover, etc. These applications shall be submitted to the County only after all appropriate signatures have been procured by all other parties.
  - (i) An accurate map depicting the service areas for all subdivision or water main extension requiring an Illinois Environmental Protection Agency permit.
  - (j) Plan and profile views for all public water mains. Recommended scales for these plans are as follows: Horizontal - 1 inch = 50 feet and Vertical - 1 inch = 5 feet
  - (k) An overall utility plan showing all of the proposed public water mains. This plan shall be of a readable scale and have appurtenance numbers which are consistent with those shown on the plan and profile pages.
  - (l) A grading plan indicating the location of the water main and applicable easement for proposed developments in which an existing water main is located. Within this area, the exposed appurtenances shall be rehabilitated and adjusted to grade per County specifications.
  - (m) A landscaping plan indicating the location of the water main and applicable easement for proposed developments in which an existing water main is located. Any landscaping within a County easement must be approved by the County. Continuous access to all appurtenances must be provided at all times throughout the length of the easement.

- (n) A final plat of subdivision shall be submitted prior to approval of the project. In order for the County to allow connections to any newly constructed public water main, the developer shall submit a recorded plat of subdivision and all testing.
  
- (2) Architectural Plan Submittals: New or Existing Buildings
  - (a) The County requires that Architectural plans, site plans, plumbing drawings and documents be submitted to the LCPW when making application for a Sanitary Sewer/Water Permit. Electronic copies shall be submitted in PDF format.
  - (b) All Architectural plans for new buildings shall have the appropriate “pre-review” checklist comments incorporated into the initial submittal. This checklist, with each item marked off, shall be included with the plan set.
  
- (3) Projects for which Architectural plans are submitted to the County for review may be required to be accompanied by applications to the Illinois Environmental Protection Agency’s Division of Public Water Supplies. These applications shall be submitted to the County only after all appropriate signatures have been procured by all other parties.
  
- (4) All Architectural submittals shall be accompanied by appropriate plumbing plans, including riser diagrams.
  
- (5) Record Drawings and Post-Completion Submittals
  - (a) Following the completion of all public improvements and at least two (2) months prior to final acceptance, the applicant shall provide to the Director for review and approval either:
    - 1. Three (3) paper sets and one Adobe PDF copy of Record Drawings; or
    - 2. One digital copy of the Record Drawings in either ArcGIS (preferred), Microstation, or AutoCAD format with one paper copy and one Adobe PDF copy.
    - 3. A bill of sale for such improvements in a form acceptable to the Director, along with lien waivers relating to the construction and installation thereof, and;
    - 4. Evidence of adequate property rights (e.g., easements) for the public improvements
  - (b) Drawings must be sealed by a Professional Engineer Registered in the State of Illinois. If corrections are found to be necessary, revised drawings shall be submitted in accordance with Section 52.02(I)(5)(a).
  - (c) The Record Drawings shall include any and all field changes and shall include State Plane Coordinates, Eastern Zone, NAD 83 NSRS2007, with minimum sub foot accuracy.

- (6) Illinois Environmental Protection Agency Permit Application; The applicant and design engineer shall sign and submit the required Illinois Environmental Protection Agency documents to the municipal government which has initial jurisdiction. After all other remaining parties have signed these applications, the municipal government shall sign said documents, and the applicant shall then submit four (4) sets of original applications to the County for evaluation, review and signature. After any applicable fees have been paid, the County shall retain one (1) original application and return the remaining three (3) signed original applications to the applicant or design engineer, who shall forward them to the Springfield office of the Illinois Environmental Protection Agency. The County reserves the right to retain said Illinois Environmental Protection Agency documents until any/all possible issue(s) deemed important by the County, such as execution of intergovernmental agreements, service area, size of pipe, depth of pipe and payment of fees for example, have been resolved.
  
- (7) Consultation with the County; The design engineer is encouraged to consult with the County to ensure adequacy and conformance of the drawings to the applicable requirements.
  
- (8) Seals and Signatures; The seal and signature referred to shall be those of the Professional Engineer responsible for the design. The seal shall be affixed on the title sheet that includes the index of sheets. Where no index sheet is provided, the seal and signature shall be affixed on each sheet.
  
- (9) Permits for Construction
  - (a) No public water main construction shall commence without both an approved Illinois Environmental Protection Agency permit and a Sanitary Sewer/Water Permit from LCPW.
  - (b) No building construction shall commence without a Sanitary Sewer/Water Permit from LCPW and, if applicable, an approved Illinois Environmental Protection Agency permit on file.
  
- (10) Construction: The County has developed design and performance standards and details for the installation, rehabilitation and repair of the water mains. Any person, firm or municipality constructing, repairing, rehabilitating, or maintaining any new or existing water mains and water service connection shall be subject to these standards and details as amended from time to time.
  
- (11) Rules and Regulations

- (a) Any person, firm or municipality constructing, repairing, rehabilitating, or maintaining any new or existing water mains or water service connections shall be subject to the rules and regulations as set forth by this Ordinance.
  - (b) All final engineering and/or building plans, which are submitted to the local municipality for their review, shall also be submitted to the County for review. Once the County review has been successfully completed, the County connection fees shall be collected by the local municipality and paid to the County in order to release their building permit.
  - (c) All water main construction shall have an Illinois Environmental Protection Agency permit and plan approval letter on file at the County prior to commencing any construction.
- (12) Advance Notice; All persons, firms, or municipalities shall notify the County a minimum of forty-eight hours prior to starting any construction, connections, repairs, or rehabilitation as required or approved by the County.
- (13) Conformance to Plans and Specifications: The rules, regulations, ordinances and policies listed herein, and issued by the authorities indicated, are incorporated herein by reference.
- (a) The LCPW regulations, policies, directives, specifications, general notes, contractor notice, construction details, permit forms and instructions that may be adopted or issued from time to time.
  - (b) Environmental Protection Act, including all orders, technical releases, rules and regulations issued from time to time.
  - (c) “Standard Specifications for Water and Sewer Main Construction in Illinois”, latest edition.
  - (d) “77 Illinois Administrative Code, part 890, Illinois Plumbing Code”, latest edition.
  - (e) The Occupational Safety and Health Administration (O.S.H.A.) Regulations Standards-29 CFR) – Standard Number 1926.652.
- (14) The County reserves the right to adopt continuous rules and regulations in order to adhere to the policies and directives of those organizations that have been listed in “a-e” above. Any person, firm or organization shall be subject to these rules and regulations if deemed necessary by the County in order to provide for the safety and welfare of the public.
- (15) Bill of Sale: A bill of sale shall be executed for all developer provided assets.

## § 52.03 USE OF WATER SYSTEM

### (A) Meters required.

(A) A water meter is required for connection to a Water Facility. All premises using the Water Facilities shall pay a meter fee for the county to install a water meter. Existing non-metered customers shall be required to install a water meter upon (a) change of use, ~~or~~ (b) change in department's operation, or (c) at the time the property is transferred.

(B) All meters placed in service on any premises connected directly or indirectly to the Water Facilities will be provided and owned by the county. The county retains the right to inspect, repair and replace the meters upon reasonable notice to the owner of the premises. If a customer fails or refuses to allow the county reasonable access to premises on which a water meter is located, the county reserves the right to terminate water service to such premises. The water service will remain off until reasonable access to the premises on which the meter is located has been provided.

(C) The property owner shall bear the entire expense of all repairs on water meters on their premises due to freezing or from any other cause owing to the negligence of ~~the~~ the property owner or his or her tenant. The Director shall make the repairs, and the cost thereof shall be billed at time and material to and be paid by the property owner.

### (B) Resale of water and unauthorized use.

No water supplied by the county Water Facilities shall be resold by any customer, unless expressly provided otherwise by an agreement approved by the approving authority. No customer may supply water to other houses, buildings or properties except for use on the premises and for the purpose specified in such customer's approved application. No person shall make or employ any other person to make any tap or connection to a water service or undertake work upon a water service for alterations, repairs, extensions or attachments without written permit from the county. Resale or unauthorized use of water shall be a Violation of this Chapter and grounds for discontinuance of water service to the customer, or the premises, or both.

### (C) Restrictions on water use.

The following mandatory water conservation regulation shall be applicable to all customers of the Public Works Department.

#### (1) Summer general water use restriction.

(a) The use of water from the county water supply system for landscape irrigation (including shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens vegetables and flowers) and all outside water use including washing cars and vehicles and filling pools is prohibited between the hours 10:00 a.m. and 6:00 p.m., from May 15 through September 15 of each year. New lawns (less than three months old) and hand held water cans shall be exempted from this provision.

(b) Customers with even-numbered addresses shall be limited to watering lawns and gardens and other landscape uses, washing cars and vehicles, and using water for

outside use only on even-numbered days. Occupants with odd-numbered addresses shall be limited to watering lawns and gardens and other landscape uses, washing cars and vehicles, and using water for outside use only on odd-numbered days. Addresses shall be determined based on billing address.

(D) Emergency water shortage.

- (1) The Director is authorized, when the circumstances warrant, to issue a declaration of chronic water shortage, in order to ensure the maintenance of an adequate water supply to meet residential, business and firefighting requirements. Upon the declaration of a chronic water shortage, the following authorities or restrictions shall immediately be in force and effect.
  - (a) Following the initial declaration of a chronic water shortage, the Director is authorized, for all landscape water use, washing of cars and vehicles, and outside water usage, to restrict or limit water usage to specific hours or to totally prohibit such outside water usage.
  - (b) Public use conservation programs. When a chronic water shortage situation arises, the Director is authorized to order all public users to restrict activities calling for high water consumption. The high water consumption category includes, but is not limited to, the testing and clearing of fire hydrants, the cleaning of water mains, the conduct of fire drills, street washing (except in emergencies), sewer flushing, and the watering of public areas.
  - (c) Administration. The authority to administer and enforce this chapter shall be with the Director or his or her designees as provided in § ~~52.99~~52.10. Because the county provides public water services in some municipalities, the Director is authorized to delegate in writing enforcement of this chapter within municipal boundaries to officers or employees of that municipality, including court enforcement, if necessary.
  - (d) Emergency response plan. The Public Works Department shall establish an Emergency Response Plan for implementation during declared emergency water shortages.

(E) Water conservation requirements.

- (1) Plumbing fixtures.
  - (A) The Department will follow the Plumbing Code adopted by the county.
  - (B) Plumbing fixtures in all new construction, as well as replacement fixtures in existing construction, shall be labeled a WaterSense product, as specified by the USEPA. If no USEPA WaterSense labeled products exist for a type of plumbing fixture, then the fixture shall comply with applicable water conservation provisions of the Illinois Plumbing Code (77 Ill. Adm. Code 890).
  - (C) Lavatories for public use. Restrooms intended for public use shall be equipped with metering or self-closing lavatory faucets. This shall apply to all new construction as well as to replacement faucets.
  - (D) Car wash facilities. All new commercial car wash facilities shall be equipped with a water recycling system on both the wash and rinse water units. All existing

commercial car wash facilities shall be equipped with such recycling systems when the systems are replaced.

(E) Water softeners. Residential water softeners shall use no more than 75 gallons during the entire regeneration cycle and must be sized to regenerate no more than three times per week.

(F) Air conditioning. In all new construction and in all new remodeling, only closed-loop air conditioning systems shall be installed when water is used.

(F) Requirements and restrictions related to meters.

(1) Installation. Meters shall be installed in a location that will provide unobstructed access to the water meter by county personnel for maintenance, repair, inspection, and replacement of the water meter and connections to the plumbing system. It is the sole responsibility of the owner of the property to care for the water meter equipment, protect the meter from weather related damage and from abuse or neglectful damage from occupants, pets, remodeling and other activities.

(2) Reading meters. Lake County shall read or cause to be read every water meter served by county water supply at such times as are necessary so that the bills may be sent out at the proper times. If for any reason any actual meter reading cannot be obtained for a customer during a billing cycle, a bill may be rendered based on an estimate of water usage.

(3) Testing meters. Upon complaint of the consumer and payment of the meter testing fee, such meter shall be removed and tested. If, upon testing, the meter is not found to be within AWWA standards for water meter accuracy, it shall be repaired or replaced and the fee returned to the consumer. If the meter is found to be within AWWA standards for water meter accuracy the fee shall be retained by the county and the meter reinstalled.

(G) Unauthorized interference or use with Water Facilities.

(1) No person shall in any manner obstruct the access to any stopcock, hydrant or valve, or any public faucet or opening for taking water in any street, alley, public ground or place connected with or part of the Water Facilities, nor pile or place any lumber, brick or building material or other article, thing or hindrance within 12 feet of such Water Facilities, or so as to in any manner hinder, delay or obstruct the members of Lake County Public Works or the ~~Fire Department~~ fire protection district in reaching such facilities.

(2) It shall be unlawful for any person in any manner to interfere with or obstruct the flow, retention, storage or authorized use of water in the water system, reservoir or plant, or any part thereof, or to injure, deface, remove or displace any water main, hydrant, service pipe, water meter, shutoff box, public fountain, valve, building or any part of the county's waterworks or supply system.

(3) Unless approved in writing by the Director, no person except authorized members of the county or authorized members of local fire protection districts shall connect to any hydrant or other water source owned by the county.

#### **§ 52.04 LIABILITY.**

Service failures and interruptions. The right is hereby reserved to shut off the service to any customer at any time for the purpose of repairs or any other necessary purpose, any permit granted or regulation to the contrary notwithstanding, provided that, except in emergencies, the county will attempt to provide reasonable notice prior to such shutoff. These limitations are a condition of service and a contractual limitation of liability.

#### **§ 52.05 CROSS-CONNECTION CONTROL.**

##### **(A) Purpose.**

The purposes of these rules and regulations regarding cross-connection controls are:

- (1) To protect the public water supply system from contamination or pollutants by preventing backflow through the customer's water service connection and into the public water supply system.
- (2) To promote the elimination or control of existing cross-connections, actual or potential, between the public or consumer's potable water system and non-potable water systems, plumbing fixtures and sources or systems containing substances of unknown or questionable safety.
- (3) To provide a cross-connection control program to ensure that installed backflow prevention devices are adequately maintained and operating properly to prevent the contamination or pollution of the public potable water supply systems.

##### **(B) Applicability.**

- (1) These rules and regulations regarding cross-connection controls shall apply to all premises served directly or indirectly by the Water Facilities.
- (2) It is the responsibility of each customer to protect the Water Facilities from contamination and to prevent backflow into the Water Facilities by ensuring that all cross-connections are removed or that approved cross-connection control devices are installed for control of backflow and back-siphonage.

##### **(C) Water system.**

- (1) Water system components.
  - (a) The water system shall be considered as made up of two parts: the Water Facilities and the consumer's water system.
    - (1) For the purposes of this section, the Water Facilities shall consist of the source facilities, the distribution system, and the service lateral up to and including the ~~corporation stopb-box~~ and shall include all those facilities under the control of the Director up to the point where the consumer's water system begins.
    - (2) The source facilities shall include all components of the facilities utilized in the production, treatment, storage, and delivery of water to the public water supply distribution system.

- (3) The public water supply distribution system shall include the network of conduits and pipes used to deliver water from the source facilities to the consumer's water system.
  - (4) For purposes of section, the service lateral under the control of the Director shall include the service pipe from the main up to and including the ~~corporation stop at the~~ b-box.
- (b) For purposes of this section, the consumer's water system shall include all parts of the facilities beyond the ~~corporation stop~~ b-box used to convey water into the building from the public water supply distribution system to points of use.

**(D) Cross-connection prohibited.**

Connections between public water supply systems and other systems or equipment containing water or other substances of unknown or questionable quality are prohibited except when and where approved isolation methods or cross-connection control devices are installed, tested and maintained to ensure proper operation on a continuing basis.

- (1) No physical connection shall be permitted between the Water Facilities and any other water supply not of equal or better bacteriological and chemical quality as determined by inspection and analysis by the Agency. No physical connection shall be allowed between the Water Facilities and any other water supply except as authorized in writing by the Director.
- (2) There shall be no arrangements or connection by which an unsafe substance may enter the Water Facilities.

**(E) Protection required.**

- (1) An approved backflow device shall be installed on connections to the public water supply in accordance with the Illinois Plumbing Code, 77 Ill. Adm. Code 890.1130 and the Agency's regulations 35 Ill. Adm. Code 653. In addition, an approved backflow prevention device shall be installed on each service line to a consumer's water system where, in the judgment of the Director, actual or potential hazards to the public water supply system exist.
- (2) An approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises where one or more of the following conditions exist:
  - (a) Premises having an auxiliary water supply, unless such auxiliary supply is accepted as an additional source by the Director and the source is approved by the Agency.
  - (b) Premises on which any substance is handled which can create an actual or potential hazard to the Water Facilities. This shall include premises having sources or systems containing process fluids or waters originating from the Water Facilities, but which are no longer under the sanitary control of the Director.

- (c) Premises having internal cross-connections that, in the judgment of the Director, are not correctable or intricate plumbing arrangements which make it impractical to determine whether or not cross-connections exist.
  - (d) Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross-connection survey.
  - (e) Premises having a repeated history of cross-connections being established or re-established.
- (3) An approved backflow prevention device shall be installed on each service line to a consumer's water system serving, but not necessarily limited to, the following types of facilities unless the Director determines that no actual or potential hazard to the public water supply system exists:
- (a) Hospitals, mortuaries, clinics, nursing homes;
  - (b) Laboratories;
  - (c) Piers, docks, waterfront facilities;
  - (d) Sewage treatment plants, sewage pumping stations or storm water pumping stations;
  - (e) Food or beverage processing plants;
  - (f) Chemical plants;
  - (g) Metal plating industries;
  - (h) Petroleum processing or storage plants;
  - (i) Radioactive material processing plants or nuclear reactors;
  - (j) Car washes;
  - (k) Pesticide, or herbicide or extermination plants and trucks;
  - (l) Farm service and fertilizer plants and trucks;
  - (m) Golf courses;
  - (n) Irrigation;
  - (o) Fire suppression system.
- (4) If in the judgment of the Director or his or her authorized representative, an approved backflow prevention device is necessary for the safety of the Water Facilities, the Director shall give notice to the consumer to install such approved backflow prevention device at each service connection to the premises. The consumer shall immediately install such approved device or devices at his or her own expense. If the consumer fails, refuses or is unable to install such device or devices immediately, or if the Director reasonably believes that an imminent danger of harmful contamination of the Water Facilities exists, water service to the premises shall be discontinued until such device or devices have been installed or until the imminent danger to the public water supply has been eliminated.

Water service to such premise shall not be restored until such conditions have been eliminated or corrected in compliance with the provisions of this chapter, and until the applicable reconnection fee is paid to Lake County. The consumer may submit a written appeal of decisions in this section to the Director.

**(F) Surveys and investigations.**

In the interest of the public health safety and welfare, the IEPA requires the Department to administer a cross-connection control program which is designed to protect the integrity of the Department's drinking water system. To comply with IEPA regulations, the Department is required to:

- (A) Survey all public water system customers, to determine whether a cross-connection may exist in their home or business. The survey requests the home or business to identify the plumbing fixtures present, and how the water is being used. The survey aids the Department in identifying actual or potential cross connections, as well as any plumbing fixtures installed to protect against backflow.
- (B) Review the survey information to determine whether, or not, a follow-up inspection of the customer's plumbing system is required. If a follow-up inspection is required, the customer will be notified to arrange a meeting at their residence or business.
- (C) Undertake other investigations to help ensure the safety of LCPW's public water supply.
- (D) Consumers shall be required to cooperate with LCPW in connection with any such survey or investigation, including allowing access to the consumer's premises. Failure to so cooperate shall be a violation of this Chapter and grounds for disconnecting consumer's water service.

**(G) Type of protection required.**

- (1) The type of protection required under divisions (E)(1), (E)(2), and (E)(3) above shall depend on the degree of hazard which exists as follows:
  - (a) An approved fixed proper air gap separation shall be installed where the public water supply system may be contaminated with substances that could cause a severe health hazard.
  - (b) An approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention assembly shall be installed where the Water Facilities may be contaminated with a substance that could cause a system or health hazard.
  - (c) An approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention assembly or a double check valve assembly shall be installed where the Water Facilities may be polluted with substances that could cause a pollution hazard not dangerous to health.
  - (d) A lawn irrigation installation shall use a reduced pressure zone (RPZ) device per Illinois Plumbing Code, 77 Ill. Adm. Code 890.
  - (e) All exterior hose bibs shall have a vacuum breaker or air gap.

- (2) The type of protection required under divisions (E)(4) and (E)(5) above of these regulations shall be an approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention device.
- (3) Where a public water supply or an auxiliary water supply is used for a fire protection pressure system, reduced pressure principle backflow preventers shall be installed on fire safety systems connected to the public water supply when:
  - (a) The fire safety system contains antifreeze, fire retardant or other chemicals;
  - (b) Water is pumped into the fire safety system from another source; or
  - (c) Water flows by gravity from a non-potable source, or water can be pumped into the fire safety system from any other source; or
  - (d) There is a connection whereby another source can be introduced into the fire safety system.
- (4) All other fire safety systems connected to the potable water supply shall be protected by a double check valve.
- (5) Booster pumps. Where a booster pump has been installed on the service line to or within any premises, such pump shall be equipped with a double check valve and a low pressure cut-off device designed to shut-off the booster pump when the pressure in the service line on the suction side of the pump drops to 20 psi or less.

**(H) Backflow prevention devices.**

- (1) Only approved backflow prevention devices may be employed for purposes of complying with the requirements of this chapter.
- (2) Installation of an approved backflow prevention device shall be made in accordance with the manufacturer's instructions and shall be tested and approved by a Cross-Connection Control Device Inspector prior to initial operation. The consumer shall ensure that maintenance as recommended by the manufacturer of the device is performed and that the manufacturer's maintenance manual is available on-site.

**(I) Inspection and maintenance.**

- (1) It shall be the duty of the consumer at any premises on which backflow prevention devices required by this chapter are installed to have the devices inspected, tested, maintained and repaired in accordance with the manufacturer's instructions. Testing shall occur in accordance with the following schedule or more often where inspections indicate a need or as specified in the manufacturer's instructions.
  - (a) Fixed proper air gap separations shall be inspected to document that a proper vertical distance is maintained between the discharge point of the service line and the flood level rim of the receptacle at the time of installation and at least annually thereafter. Corrections to improper or by-passed air gaps shall be made within 24 hours.
  - (b) Double check valve assemblies shall be inspected and tested at time of installation and at least annually thereafter, and required service performed within five days.

- (c) Reduced pressure principle backflow prevention assemblies shall be tested at the time of installation and at least annually or more frequently if recommended by the manufacturer, and required service performed within five days.
- (d) Low pressure cut-off devices shall be tested at the time of installation and at least annually or more frequently if recommended by the manufacturer, and required service performed within five days.
- (2) Inspection and testing shall be performed by a licensed plumber who is a Cross-Connection Control Device Inspector. Proof of inspection and approval shall be provided to the Director in writing within 20 calendar days of the inspection.
- (3) Device testing and records.
  - (a) Each device shall be tested at the time of installation and at least annually or more frequently if recommended by the manufacturer.
  - (b) Records submitted to the Public Works Department shall be available for inspection by Agency personnel in accordance with applicable law.
  - (c) Each device shall have a tag attached listing the date of most recent test, name of CCCDI, type and date of repairs.
  - (d) The test report shall include:
    - (1) Date of each test;
    - (2) Name and license number of person performing the test;
    - (3) Test result;
      - (a) Device serial number;
      - (b) Physical location;
      - (c) Test pass or fail;
      - (d) Test kit used and calibration date;
    - (4) Repairs or servicing required;
    - (5) Repairs and date completed; and
    - (6) Service performed and dated completed.
  - (e) The consumer shall retain records of installation, maintenance, testing and repair as required by this chapter for a period of at least five years.
  - (f) CCCDIs shall submit a copy of each test report directly to the Public Works Department within 20 calendar days of each test. However, the owner shall bear the ultimate responsibility to ensure that all reports are submitted to the county as prescribed by the provision of this chapter. CCCDIs shall submit test reports for both passing and failing test results.

- (4) Whenever backflow prevention devices required by these regulations are found to be defective, the Director shall be notified of the results of the testing in writing within three days of the test/inspection and the defective backflow prevention device shall be repaired or replaced at the expense of the consumer within 10 days. Written notice of the repair or replacement and results of the post-repair re-testing shall be provided in writing to the Director within three days of such corrective action.
- (5) Backflow prevention devices shall not be bypassed, made inoperative, removed or otherwise made ineffective without specific authorization by the Director.
- (6) Any backflow prevention device that does not have a manufacturer's serial number shall be replaced immediately.

#### **§ 52.06 INSPECTION**

Right of access and inspection.

- (A) The Director, with the consent of the property owner, shall access any premises connected directly or indirectly to the Water Facilities for purposes of reasonable inspection to ascertain whether such premises are connected to the county water system, to inspect the plumbing within the building and the number and type of water connections to the water system, and to inspect the water meter on the premises.
- (B) Where it is necessary to make an inspection to enforce the provisions of this chapter, or where the Director has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this chapter which makes the structure or premises unsafe, dangerous or hazardous, the Director is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this chapter, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises be unoccupied, the Director shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the Director shall have recourse to the remedies provided by law to secure entry or to disconnect the premises from the Water Facilities if emergency conditions are reasonably believed to exist.

#### **§ 52.07 VALIDITY; SEVERABILITY**

- (A) All ordinances or parts of ordinances in conflict herewith are hereby repealed.
- (B) The invalidity of any section, clause, sentence, or provision of this chapter shall not affect the validity of any other part of this chapter, which can be given effect without such invalid part or parts.

#### **§ 52.08 EFFECTIVE DATE**

This chapter shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.

#### **§ 52.09 VARIANCE AND APPEAL PROCESS**

- (A) Variances from the regulatory standards of this chapter may be granted in accordance with the ~~requirements provided~~ provisions below. Any application for a variance shall be made to, ~~and decided by,~~ the Engineering Supervisor and will require final approval from the Director.
- (B) Individuals seeking a variance must submit a letter addressed to the Engineering Supervisor. The letter must contain:
  - (1) A request for a variance;
  - (2) Citation to the relevant section of this chapter;
  - (3) A narrative describing the reason for the variance request.
- (C) The Public Works Department shall grant the variance request if all of the following criteria are met:
  - (1) There are exceptional or extraordinary circumstances that apply to the subject of the request that do not apply to similar properties, projects or requests.
  - (2) The variance will not threaten public health, safety, or welfare, or create a nuisance.
  - (3) No additional public expense will result
  - (4) Cost to the applicant of strictly complying with this chapter is not the primary reason for granting the variance.
- (D) Approved variances are specific to the individual circumstances at the time of review. If the variance pertains to a physical improvement, re-review is required if the proposal or plan changes. If the improvements are not made within two years of the decision date, re-review is required.
- (E) If an application for variance is denied or approved with conditions unacceptable to the applicant, the applicant may file a written request for a review by the Director within 15 days. Such request for review shall set forth the basis for the Director to reverse or modify the initial decision. The Director shall evaluate any such request for review and issue a written decision thereon, which decision shall be final.

#### **§ 52.9952.10 PENALTY**

##### **(A) Fines.**

Any person or user who violates any provision or section of this chapter shall be subject to a fine as authorized by the Lake County Administrative Adjudication Ordinance, the Rate Ordinance, or by statute of the State of Illinois. Each violation of a separate provision or section of this chapter shall be a separate offense and subject to a separate fine. Each day that a violation exists or continues shall be

considered a separate offense. Any fine or fines for these separate offenses shall be assessed in accordance with applicable ordinances or state statute.

**(B) Administrative adjudication.**

- (1) Enforcement Officer. All sections of this chapter may be enforced by the Director, Director of the Lake County Planning, Building and Development Department, or the designee of either of the above.
- (2) Warning of ordinance violation. The Enforcement Officer, as defined in division (B)(1) above shall have the authority to issue a warning of ordinance violation when an individual has been found to be in violation of any provision of this chapter. The warning shall, at a minimum, identify the violation for which it is being issued, shall include the address in which the violation has occurred, shall require the violator to cease the violation(s) or take such action required to abate the violation(s) within a reasonable time for the performance of any act it requires, and shall state that a notice of ordinance violation may be issued if the warning is not adhered to as specified.
- (3) Notice of ordinance violation. If an individual has previously been issued a warning of ordinance violation and the individual fails to abate the violation by the date specified in the warning, the Enforcement Officer shall have authority to issue a notice of ordinance violation. If administrative adjudication is found to be the appropriate remedy to resolve the violation, the notice must be served in accordance with and shall contain all information specified and required in the Lake County Administrative Adjudication Ordinance. Prior to the hearing date documented on the notice of ordinance violation, the respondent may elect to abate or cease the violation for which the notice of ordinance violation was issued, pay the fine listed on the notice of ordinance violation, and not participate in the hearing.

**(C) Injunctive relief.**

The Director may also take any other available legal action necessary to prevent or to remedy any violation, including seeking injunctive relief or pursuing the disconnection of water service as specified in division (D) below.

**(D) Water service disconnection.**

- (1) Disconnection:
  - (a) The Director shall deny or discontinue, after reasonable notice to the occupants thereof, the water service to any premises for either (i) nonpayment of permit fees, water service charges, or any other costs or expenses that a customer is obligated to pay under this chapter but has failed or refused to pay, or (ii) nonpayment of fees, charges, or other costs or expenses that a customer is obligated to pay under the Sewer Use Ordinance (Chapter 53) or any applicable agreement that the county has entered into relating to sanitary sewerage services or any other County ordinance provision. Prior to disconnection the county will mail three notices to the service address on file and the customer may contact the Director to settle the outstanding balance or make payment arrangements to avoid service disconnection. The third and final notice shall state "No further notices will be sent to you prior to disconnection."

- (b) Except as otherwise expressly provided in this chapter, any property found to be in violation of this chapter or the County's Sewer Use Ordinance (Chapter 53) for reasons other than nonpayment shall be subject to discontinuation of water service in the event such violation is not corrected within 48 hours after written notice identifying the violative conditions.
  - (c) Water service to such premises shall not be restored until the consumer has corrected deficiencies in conformance with this chapter and to the satisfaction of the Director, and all fees are paid.
- (2) In cases where, in the Director's judgment, a health hazard exists, or such disconnection is necessary to protect the public health, welfare and safety no prior notice shall be required. This may include ~~that, but is not limited to the following conditions:~~ (a) a backflow prevention device required by these regulations is not installed, tested, maintained, inspected and repaired in a manner acceptable to the Director, ~~or if it is found that the~~(b) backflow prevention device has been removed or bypassed, ~~or if~~(c) an unprotected cross-connection exists on the premises, or ~~if~~(d) a low pressure cut-off required by these regulations is not installed and maintained in working order.
  - (3) For any premises where water service has been disconnected, water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with this chapter and to the satisfaction of the Director, and all required fees are paid.
  - (4) Neither Lake County nor or its employees, agents or designees shall be liable to any customers of the county public water supply ~~system~~ for any injury, damages or lost revenues which may result from the County's inability to provide water to a consumer in amounts or at pressures expected or desired by the consumer, or from termination of the customer's water supply in accordance with the terms of this chapter, whether or not the termination of the water supply was with or without notice.
  - (5) Where violations of this chapter result in impacts to the public water supply (including, but not limited to, the contamination of the public water supply system through an illegal cross-connection or an improperly installed, maintained or repaired backflow prevention device, or a device which has been bypassed), the consumer responsible for the impact shall bear the cost to repair and/or clean-up the Water Facilities.
  - (6) It shall be unlawful for any person to reconnect or turn on any water service which has been disconnected by the county without written approval of the Director. Any person found guilty of violating this section may be fined in accordance with division (A) above. In addition, when the county is notified that water service has been unlawfully reconnected, the county shall have the power to immediately disconnect such service without notice.
  - (7) All costs incurred by the county in disconnecting water service may be borne by and be the responsibility of the owner of the property served. All such costs shall be paid to the county before service is restored to the property.
  - (8) Disconnection. A customer whose service has been disconnected can have that service restored on the same day, provided that all outstanding fees are paid, and reconnection can be performed before 5:00 p.m.

- (9) Service suspension. A minimum bill (2,000 gallons/month) will be charged for services that have been temporarily suspended. If turn-on/turn-off service is requested by the property owner, a fee will be assessed per the county's Rate Ordinance.

(E) **Liability.**

Any person violating any of the provisions of this chapter, in addition to the fine provided shall become liable to the county for any expense, loss or damage occasioned by the county by reason of such violations, whether the same was caused before the notice.