

ORDINANCE NO. 3, SERIES 2022

AN ORDINANCE AMENDING ORDINANCE NO. 4, SERIES 2021, AN ORDINANCE REGULATING: THE USE OF PUBLIC AND PRIVATE WATER SYSTEMS, SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING WATER SYSTEMS AND SEWERS, CHARGES AND FEES INCURRED BY USERS OF WATER AND SEWER SYSTEMS, THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF,

IN THE VILLAGE OF JOY, COUNTY OF MERCER, STATE OF ILLINOIS.

BE IT ORDAINED AND ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JOY, STATE OF ILLINOIS, AS FOLLOWS:

GENERAL

CHAPTER A

- Sec. 1 Administration – The construction, maintenance and repair of all sewage disposal systems, sewers, and sewer service lines including the connection to all sewers within the **Village of Joy** shall be under the direction and control of and subject to the approval of the **Village** whether constructed or maintained by the **Village** or by private firms, individuals or utilities.
- Sec. 2 Separate Systems – The sewer systems of the **Village** shall consist of a separate storm water system and a sanitary system.
- Sec. 3 Wherever the term **Village** is used within this ordinance, it is understood to be the **Village of Joy** and its duly authorized officials.

ARTICLE I

Use of Public Sewers Required

- Sec. 1 It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on all public or private property within the **Village of Joy**, or in any area under the jurisdiction of said **Village**, any human or animal excrement, garbage, or other objectionable waste.
- Sec. 2 It shall be unlawful to discharge to any natural outlet within the **Village of Joy**, or in any area under the jurisdiction of said **Village**, any sewage or other polluted liquids, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.
- Sec. 3 Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- Sec. 4 The Owner(s) of all houses, buildings, or structures used for human occupancy, employment, recreation, or other purposes situated within the **Village** and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located any public sanitary sewer of the **Village** is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance within ninety (90) days after date of official notice to do so, provided that said public sewer is within two hundred (200) feet or sixty-one (61) meters of the property line.

ARTICLE II

Private Sewage Disposal

- Sec. 1 Where a public sanitary sewer is not available under the provisions of Article I, Section 4, the building sewer shall be connected to a private source disposal system complying with the provisions of this Article II.
- Sec. 2 Before commencement of construction of a private sewage disposal system the Owner shall first obtain a written permit signed by the **Village of Joy Board of Trustees**.
- Sec. 3 A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the **Village of Joy**.
- Sec. 4 The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the State of Illinois Environmental Protection Agency, and Illinois Department of Public Health. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than twenty thousand (20,000) square feet or one thousand

eight hundred fifty-eight (1,858) square meters. No septic tank or cesspool shall be permitted to discharge into any natural outlet.

- Sec. 5 At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Article I, Section 4, a connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material within a reasonable period of time; unless a special use permit is obtained from the **Village**.
- Sec. 6 The Owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, and at no expense to the **Village of Joy**.
- Sec. 7 No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the State of Illinois Environmental Protection Agency or Department of Public Health.
- Sec. 8 When a public sewer becomes available, the building sewer shall be connected to said sewer within ninety (90) days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt within a reasonable period of time.

ARTICLE III

Building Sewers and Connections

- Sec. 1 No unauthorized person shall uncover, make any connections with, or opening into; use; alter; or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the **Village**.
- Sec. 2 All disposal by any personnel into the sewer system is unlawful except those discharges which are in compliance with Federal Standards promulgated pursuant to the Federal Act and State and local standards.
- Sec. 3 There shall be three (3) classes of building sewer permits; (a) for residential, (b) for commercial, and (c) for industrial service. In each case, the Owner or his agent, shall make application on a special form furnished by the **Village**, (reference Appendix #2). The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the **Village of Joy**. The permit and inspection fee for a residential or commercial building sewer permit shall be paid to the **Village of Joy** on or before the time the application is filed. The cost for the permit shall be invoiced to the applicant by the **Village of Joy**. The cost shall be equivalent to the time and material expended by the **Village** to provide sanitary sewer service to the property line of the applicant. The Industrial service fee shall be determined by the **Village of Joy** at the time the application is filed. The **Village** shall base the fee with regard to the complexity of the connection. The Industry, as a condition of permit, must provide information describing its waste water constituents, characteristics, and type of activity.

- Sec. 4 A building sewer permit shall only be issued and a sewer connection shall be allowed if it can be demonstrated that the downstream sewerage facilities, including sewers, pump stations, and wastewater treatment facilities, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.
- Sec. 5 All costs and expenses incident to the installation and connection of the building sewer shall be borne by the Owner. The Owner shall indemnify the **Village** from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- Sec. 6 A separate and independent building sewer shall be provided for every building, except that where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway. The building sewer from the front building may be extended to the rear building and the whole considered as one building sewer provided that both buildings are under one ownership. If under two ownerships there must be a standard manhole installed between the two buildings for cleaning purposes.
- Sec. 7 Old building sewers may be used in connection with new buildings only when they are found on examination and tested by the **Village of Joy** to meet all requirements of this ordinance.
- Sec. 8 The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and back filling the trench, shall all conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the **Village of Joy**. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society of Testing Materials (latest edition), Water Pollution Control Federation Manual of Practice No 9 (latest edition), and Standard Specifications for Water and Sewer Main Construction in Illinois (latest edition) shall apply.
- Sec. 9 Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by a means which is approved by the **Village of Joy** through an inspection in accordance with Article III, Section 2 and discharged to the building sewer.
- Sec. 10 No person(s) shall make connection of roof down spouts, exterior foundation drains, sump pumps, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
- Sec. 11 The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code, or other applicable rules and regulations of the **Village of Joy**, or procedures set forth in appropriate specifications of

the American Society of Testing Materials (latest edition), Water Pollution Control Federation Manual of Practice No. 9 (latest edition), and Standard Specifications for Water and Sewer Main Construction in Illinois (latest edition). All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the **Village of Joy** before installation.

Sec. 12 The applicant for the building sewer permit shall notify the **Village of Joy** in writing when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the **Village of Joy** before installation.

Sec. 13 All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of work shall be restored in a manner satisfactory to the **Village of Joy**.

ARTICLE IV

Use of Public Sewers

Sec. 1 No person shall discharge, or cause to be discharged, any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

Sec. 2 Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the **Village of Joy**. Industrial cooling water or unpolluted process waters may be discharged on written approval of the **Village of Joy**, to a storm sewer or natural outlet.

Sec. 3 No Person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- (a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- (b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (.76 horsepower metric) or greater shall be subject to the review and approval of the **Village of Joy**.
- (d) Solid or viscous substances in quantities or of such size capable of causing obstruction in the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, used grease, wood, unground

garbage, whole blood, paunch manure, hair and fleshing, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

Sec. 4 No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the **Village of Joy** that such wastes can harm either the sewers, sewage treatment process or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming its opinion as to the acceptability of these wastes, the **Village of Joy** will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of tractability of wastes in the sewage treatment plant, and maximum limits established by regulatory agencies. The substances prohibited are:

- (a) Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit or sixty-five (65) degrees Celsius.
- (b) Any waters or wastes containing toxic or poisonous materials; or oils, whether emulsified or not, in excess on one hundred (100) milligrams per liter or containing substances, which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit or zero (0) and sixty-five (65) degrees Celsius.
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower, (.76 horsepower metric) or greater shall be subject to the review and approval of the **Village of Joy**.
- (d) Any waters or wastes containing strong acid, iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- (e) Any waters or wastes containing iron, chromium, copper, zinc, or similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the **Village of Joy** for such materials.
- (f) Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations as to exceed limits which may be established by the **Village of Joy** as necessary after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction or such discharge to the receiving waters.
- (g) Any radioactive wastes or isotopes of such half-life concentration as may exceed limits established by the **Village of Joy** in compliance with applicable State and Federal regulations.
- (h) Any waters or wastes having a pH in excess of 9.5.
- (i) Any mercury or any of its compounds in excess of 0.0005 mg/liter as Hg at any time except as permitted by the **Village of Joy** in compliance with applicable State and Federal regulations.

- (j) Any cyanide in excess of 0.025 mg/liter at any time except as permitted by the **Village of Joy** in compliance with applicable State and Federal regulations.
- (k) Materials which exert or cause:
 - (1) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate);
 - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions);
 - (3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works;
 - (4) Unusual volume of flow or concentrations of waste constituting "slugs" as defined herein.
- (l) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degrees that the sewage treatment plant effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters.

Sec. 5 If any waters or wastes are discharge or are proposed to be discharge to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 of this Article, and/or which are in violation of the standards for pretreatment provided in Chapter 1, EPA Rules and Regulations, subchapter D, Water Programs Part 128 – Pretreatment Standards, Federal Register Volume 38, No. 215, Thursday, November 8, 1973 and any amendments thereto, and which in the judgment of the **Village of Joy** may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life to constitute a public nuisance, the **Village of Joy** may:

- (a) Reject the wastes; or
- (b) Require treatment to an acceptable condition for discharge to the public sewers; or
- (c) Require control over the quantities and rates of discharge; and/or
- (d) Require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges, under the provisions of Section 10 of this Article.

If the **Village of Joy** permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the **Village of Joy**, and subject to the requirements of all applicable codes, ordinances, and laws.

Sec. 6 Grease, oil, and sand interceptors shall be provided when, in the opinion of the **Village of Joy** they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units.

All interceptors shall be of a type and capacity approved by the **Village of Joy**, and shall be located as to be readily and easily accessible for cleaning and inspection.

- Sec. 7 Where preliminary treatment of flow-equalizing facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the Owner at his expense.
- Sec. 8 Each industry shall be required to install a control manhole and, when required by the **Village of Joy**, the Owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be constructed to plans approved by the **Village of Joy**. The manhole shall be installed by the Owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.
- Sec. 9 The Owner of any property serviced by a building sewer carrying industrial wastes shall provide laboratory measurements, tests, and analyses of waters and wastes to illustrate compliance with this ordinance and any special conditions for discharge established by the Illinois EPA or regulatory agencies having jurisdiction over the discharge. The number, type, and frequency of laboratory analyses to be performed by the Owner shall be as stipulated by the **Village of Joy**, but not less than once per year the industry must supply a complete analysis of the constituents of the waste water discharge to assure that compliance of the Federal, State, and local standards are being met.

The Owner shall report the results of measurements and laboratory analyses to the **Village of Joy** at such times and in such manner as prescribed by the **Village of Joy**. The Owner shall bear the expense of all measurements, analyses, and reporting required by the **Village of Joy**. At such times as deemed necessary, the **Village of Joy** reserves the right to take measurements and samples for analysis by an outside laboratory service.

- Sec. 10 All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved shall determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four (24) hour composites of all outfalls, whereas pHs are determined from periodic grab samples).

Sec. 11 No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the **Village of Joy** and any industrial concern whereby any industrial waste of unusual strength or character may be accepted by the **Village of Joy** for treatment, subject to payment therefore, in accordance with Chapter B, Article I, hereof by the industrial concern, provided such payments are in accordance with Federal and State guidelines for User Charge System and Industrial Cost Recovery System.

ARTICLE V

Protection of Sewage Works from Damage

Sec. 1 No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works.

ARTICLE VI

Powers and Authority of Inspectors

Sec. 1 The Sewer Superintendent and other duly authorized employees of the **Village of Joy**, representatives of the Illinois Environmental Protection Agency, and the U. S. Environmental Protection Agency, bearing proper credential and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. The **Village of Joy** shall have no authority to inquire into any processes, including metallurgical, chemical, oil refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterway or facilities for waste treatment.

Sec. 2 While performing the necessary work on private properties referred to in Article VI, Section 1 above, the Sewer Superintendent or duly authorized employees of the **Village of Joy**, representatives of the Illinois Environmental Protection Agency, and representatives of the U. S. Environmental Protection Agency shall observe all safety rules applicable to the premises established by the Owner, and the Owner shall be held harmless for injury or death to the **Village of Joy** employees and the **Village of Joy** shall indemnify the Owner against loss or damage to its property by the **Village of Joy** and against liability claims and demands for personal injury or property damage asserted against the Owner and growing out of the gauging and sampling operation, except as such may be cause by negligence or failure of the Owner to maintain safe conditions as required in Article IV, Section 8.

Sec. 3 The Sewer Superintendent and other duly authorized employees of the **Village of Joy**, bearing proper credentials and identification, shall be permitted to enter all private properties through which the **Village of Joy** holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair,

and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE VII

Sewer Rates, Water Rates, Deposit, and Collection

Sec. 1 Village Collector

- (a) It is hereby declared that all charges for Water and Sewer Service by the **Village of Joy** shall be rendered and determined by the Village Collector and said Collector shall collect all monies due thereon.
- (b) All Revenues derived from the operation of the combined water and sewer system shall be held by said Collector and maintained separate and apart from all other funds of the Village and delivered to the Village Treasurer at least every month.
- (c) The Village Treasurer shall receive all such finds, and the same shall be kept and maintained in a separate fund designated as the "Waterworks and Sewerage Fund", and said Treasurer shall administer such fund in every respect in the manner provided by the existing laws and as provided by ordinance heretofore adopted by the **Village of Joy** and not inconsistent or contrary to the ordinance, including the payment of Waterworks and Sewerage Revenue Bonds of said **Village of Joy**.

Sec. 2 Water rates for users within the **Village of Joy**

- (a) Except for the provisions set forth in Section 4 herein, the following monthly rates and charges for the use of and for the service supplied by the waterworks system of the **Village of Joy** shall be based upon the amount of water consumed as follows:
 - 1. First two thousand (2,000) gallons shall be charged a minimum of thirty-seven (\$37.00) dollars.
 - 2. Water usage in excess of two thousand (2,000) gallons shall be charged at the rate of fifty (\$0.50) cents per one hundred (100) gallons.
 - 3. All charges shall be paid monthly in accordance with the provisions set forth in Section 6 herein.

Sec. 3 Water rates for users outside the **Village of Joy**

- (a) Except for the provisions set forth in Section 4 herein, the following rates and charges shall apply to all users of water outside the **Village of Joy**:
 - 1. First two thousand (2,000) gallons shall be charged a minimum of thirty-seven (\$37.00) dollars.
 - 2. Water usage in excess of two thousand (2,000) gallons shall be charged at the rate of fifty (\$0.50) cents per one hundred (100) gallons.
 - 3. All charges shall be paid monthly in accordance with the provisions set forth in Section 6 herein.

Sec. 4 Water rates for users of a **Village of Joy** pay meter facility:

- (a) The following rates and charges shall apply to all users of water acquiring water from a **Village of Joy** pay meter facility or in some other manner:
 - 1. One dollar and sixty-five cents (\$1.65) per one hundred (100) gallons pumped.
 - 2. All charges shall be paid at the time of pumping.

Sec. 5 Sewer Rates

- (a) A monthly sewer service charge of thirty (\$30.00) dollars shall be assessed against all water users situated inside the **Village of Joy**.
- (b) All charges shall be paid monthly in accordance with the provisions set forth in Section 6 herein.

Sec. 6 The Village Collector shall cause water and sewer charges to be rendered once every month except for those acquiring water under the provisions of Section 4 herein, and the users shall be billed on or about the first (1st) of the month. Any bills not paid by the fifteenth (15th) of the month when due shall be charged an additional fifteen (15%) per cent of said bill as a carrying charge. All water and sewer bills not paid by the sixteenth (16th) of the month shall be declared delinquent and the user shall receive a notice of delinquency. The Collector shall make a report of those delinquencies at the next meeting of the **Village of Joy Board of Trustees**.

Sec. 7 Any water or sewer charge found to be delinquent at the end of the month shall authorize the Collector to send a "NOTICE OF TERMINATION OF SERVICE" setting forth the delinquency and also setting forth "Notice of Hearing" before the **Village of Joy Board of Trustees**, where the user or owner shall appear and explain said delinquency. If no satisfactory explanation is forthcoming from said user or owner, the **Village of Joy** shall shut off the water for such nonpayment. Thereafter such delinquency shall constitute a lien upon the real estate for which such service was supplied, and the Village Collector is hereby authorized and directed to file sworn statements showing such delinquencies in the office of the Recorder of Deeds of Mercer County, Illinois, and the filing of such statements shall be deemed notice for the payment of such charges for such service. The **Village** may also commence suit for recovery of said debt including costs of collection in any court of competent jurisdiction. The **Village** shall charge any user or owner a fee of one hundred seventy-five (\$175.00) dollars for re-establishing the service after being shut off.

ARTICLE VIII

Connection Fees and Costs of Repairs and Meters

Sec. 1 The Village Collector shall keep an accurate record of all water and sewer users, and no person shall be authorized to tap or make any connection to the existing water or sewer pipes within the **Village of Joy** unless duly authorized by the Village Trustees.

- Sec. 2 All applicants for connections to existing water or sewer pipes within the **Village of Joy** must bear the full costs of connection including the reimbursement to the **Village** for all expenses incurred by the **Village**.
- Sec. 3 The costs of repairs to connections for both water and sewer lines shall be apportioned as follows:
- (a) Break in line between **Village** main and property line: All repairs to a connection lying between the **Village** main and a user's property line shall be made at the full expense of the user or owner.
 - (b) Break in line lying on user's property: All repairs to connection lines lying on a user's or owner's real property shall be made at the full expense of the user or owner.
 - (c) The expenses which are attributable to users or owners shall include reimbursement expenses to the **Village** and may be billed by the **Village** in addition to the water and sewer rates charged. If not paid in a timely manner, such expenses shall constitute a lien upon the user's or owner's property and may be sued upon for collection.
- Sec. 4 All owners, applicants, or users shall bear in full the purchase cost of the water meter in a new installation. The water meter shall be provided by the **Village** and shall remain the sole property of the **Village**. Henceforth, all water meters installed by the **Village** shall also have attached thereto a remote reading meter located outside the structure.
- Sec. 5 All water and sewer services and meter installation must be completed with the supervision of **Village** personnel as directed by the said Water and Sewer Committee and new connections made by a plumber duly licensed by the State of Illinois.
- Sec. 6 All households and businesses connected to the Village water lines shall have a separate water meter. No apartments, apartment buildings, multiple family dwellings, or businesses shall have a water meter serving more than one household and/or business.
- Sec. 7 Upon the determination by Village personnel, as directed by the said Water and Sewer Committee, that the water meter installed at any user's or owner's residence or business is so worn or deteriorated that it is in need of repair or replacement, the **Village** shall cause the meter to be removed and repaired or replaced. The user shall bear full cost incurred by the **Village** therefore. Henceforth, all water meters installed by the **Village** shall also have attached thereto a remote reading meter located outside the structure.
- Sec. 8 All users or owners of water service shall keep and maintain a suitable pit or housing for the Village water meter, allowing free access to all meters, said meter shall not be harmed, damaged, or found in disrepair, or the pit or housing for said meter allowed to deteriorate and thus place the proper use of said meter in jeopardy. Any user found to be in violation of this section may have his water service terminated by the Village

Board of Trustees, and will be responsible for all damages to said water meter, including the full cost of replacement.

- Sec. 9 Every application shall include a one hundred seventy-five (\$175.00) dollar water deposit to be held by the Village Collector. The deposit, or part of it, will only be returned upon vacation of the property after all outstanding water charges are satisfied, including water usage, repair, or any other charge authorized by this Ordinance. The deposit shall first be applied to any outstanding charge. If all charges are satisfied, the balance of the deposit shall be returned to the applicant.
- Sec. 10 No claim shall be made against the **Village of Joy** by reason of the breaking of any main, service pipe, or cock, or for any other interruption, interruption of the supply of water, or by reason of the breaking of machinery, or the stoppage for necessary repairs, unless the delay exceeds ten (10) days and no deduction will be allowed or made for any time that private water pipes may be frozen.
- Sec. 11 All materials used in the construction of new water and sewer services, or in the repair of existing water and sewer services in the **Village of Joy** must meet the standards set forth by Federal and State Environmental Protection Agencies. All lead containing pipes, connectors, and solder must be completely replaced during the course of any repairs to a water or sewer service. All lines from the main to the curb box must be copper.
- Sec. 12 A copy of this Ordinance, properly certified by the Village Collector, shall be filed in the Office of the Recorder of Deeds and posted in the Village Hall, and the same shall be deemed notice to all owners and persons of any premises using water or sewer services of said Village of the user rates, charges, and conditions incidental to the joint water works and sewerage of the **Village of Joy**, Mercer County, Illinois.

ARTICLE IX

Penalties

- Sec. 1 Any person found to be violating any provision of this ordinance shall be served by the **Village of Joy** with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. The **Village of Joy** may revoke any permit for sewage disposal as a result of any violation of any provision of this Ordinance.
- Sec. 2 Any person who shall continue any violation beyond the time limit provided for in Article IX, Section 1, shall be guilty of a petty offense, and on conviction thereof shall be fined in the amount of not less than one hundred (\$100.00) dollars and not exceeding five hundred (\$500.00) dollars for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

Sec. 3 In addition, any person violating any of the provisions of this ordinance shall become liable for damages to the **Village of Joy** by reason of such violation.

ARTICLE X

Validity

Sec. 1 All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict thereof.

Sec. 2 The validity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

ARTICLE VI

Ordinance in Force

Sec. 1 This ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

PASSED by the Board of Trustees of the Village of Joy, Mercer County, Illinois this 20th day of July, 2022 and approved by the President of the Village of Joy, Mercer County, Illinois this 20th day of July, 2022.



Mark Heater, Village President

ATTEST:



Gwen Pritchett, Village Clerk

STATE OF ILLINOIS)

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County of Mercer)

I, Gwen Pritchett, as Clerk of the Village of Joy, Illinois, do hereby certify that I am the duly appointed, qualified Village Clerk of said Village; that I am the official keeper of all books and records of said office and of said Village; that the foregoing is a full, true, correct, and complete copy of **“ORDINANCE NO. 3, SERIES 2022, AN ORDINANCE AMENDING ORDINANCE NO. 4, SERIES 2021, AN ORDINANCE REGULATING: THE USE OF PUBLIC AND PRIVATE WATER SYSTEMS, SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING WATER SYSTEMS AND SEWERS, CHARGES AND FEES INCURRED BY USERS OF WATER AND SEWER SYSTEMS, THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF; IN THE VILLAGE OF JOY, COUNTY OF MERCER, STATE OF ILLINOIS”**, which was adopted by the President and Board of Trustees of said Village on the 20th day of July, 2022 at a regularly called and constituted meeting of said President and Board of Trustees; that said Ordinance was passed by a roll call vote at said meeting at which more than a quorum was present, all of which fully appears from the official records and minutes of said Board of Trustees in my office now remaining.

IN WITNESS WHEREOF, I have hereunto affixed my hand and signature as Clerk of the Village of Joy, Illinois, and the corporate seal of said Village, at Joy, Illinois, this 20th day of July, 2022.


Clerk of the Village of Joy, Illinois

(CORPORATE SEAL)

