

VILLAGE OF LONG GROVE

ORDINANCE NO. 2022-O-__

**AN ORDINANCE AMENDING THE LONG GROVE
VILLAGE CODE REGARDING WATER SYSTEM CONNECTION REQUIREMENTS**

WHEREAS, Title 8, Chapters 5 and 16 of the Long Grove Village Code (“**Village Code**”) set forth regulations regarding connection to and use of the Village’s public waterworks system (“**Water System**”); and

WHEREAS, Section 8-5-1 of the Village Code requires that, wherever a public water system is reasonably available, the use of such facilities shall be made; and

WHEREAS, Section 8-16-1(B) of the Village Code requires that all buildings and structures that use water and are located on properties in the Village (except in the R1, R2, or R3 Zoning Districts) connect to the Water System within 180 days after Water System facilities become available and accessible within 80 feet of the premises; and

WHEREAS, within the Village’s B1 Historic Downtown Business District, there exist various **non-habitable structures** on private property that use water for non-potable purposes, such as landscaping irrigation systems and decorative water features; and

WHEREAS, the downtown business district is a pedestrian-friendly retail area, and landscaping and decorative water features beautify and enhance the area, particularly when they are located on commercial properties that are generally open and accessible to the members of the public visiting downtown businesses; and

WHEREAS, in certain circumstances, the costs of connecting such non-habitable structures to the Water System may deter their continue use and maintenance in publicly-accessible areas; and

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village and its residents to amend Sections 8-5-1 and 8-16-1(B) of the Village Code, as set forth herein, to authorize the Village to grant waivers from the Water System

connection requirements as they apply to certain non-habitable structures and non-potable water uses within publicly accessible areas of the B1 District;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Long Grove, County of Lake, State of Illinois, as follows:

SECTION ONE. **Recitals.** The foregoing recitals are incorporated into this Ordinance as findings of the President and Board of Trustees.

SECTION TWO. **Amendment to Section 8-5-1 of the Village Code.** Section 8-5-1, titled "Use of Public Water Supply System," of Chapter 5, titled "Wells and Water Supply," of Title 8, titled "Health and Sanitation," of the Village Code is hereby amended in part as follows:

8-5-1 USE OF PUBLIC WATER SUPPLY SYSTEM.

All buildings where people live, work or assemble shall be provided with a safe, potable, clean and adequate water supply. Wherever a public water system is reasonably available, the use of such facilities shall be made **unless, and to the extent that, a water system connection waiver has been approved by the Village Board pursuant to Section 8-16-1(B)(2) of this code.**

SECTION THREE. **Amendment to Section 8-16-1 of the Village Code.** Section 8-16-1, titled "Service Connection Permits; Charges," of Chapter 16, titled "Water Use Regulation," of Title 8, titled "Health and Sanitation," of the Village Code is hereby amended in part as follows:

8-16-1: SERVICE CONNECTION PERMITS; CHARGES.

* * *

(B) *Connections Required.*

- 1.** Except for properties located within the Village's R1, R2, or R3 Zoning District, the owner, occupant, or party or parties in possession of any building or structure of any character which uses water and is located on property within the Village's corporate limits shall cause such building or structure of any character to be connected with the waterworks system within 180 days from the date that water facilities become available to such property. For purposes of this chapter, water facilities will be deemed available to premises if located within 80 feet of such premises and, to the extent separated by property owned by another person, is accessible by right-of-way or easement. As a condition to connection to the Village's water system, the Village may require the owner of the premises being served to grant an easement

to the Village to permit the extension of water facilities across the full length or width of such premises.

2. Upon request by the owner of a property located in the B1 Historic Business Zoning District, the Village Board may, by resolution, grant a waiver from the water system connection requirements of paragraph (B)(1) of this section with respect to non-habitable structures in the B1 District that: (i) are used exclusively to provide landscaping irrigation or decorative visual (non-potable) water features on portions of commercial or mixed-use properties that are generally open and accessible to the general public during business hours; and (ii) are served by an existing on-site private well capable of providing a safe and adequate water supply for the non-potable uses. In no event may any habitable building or structure be served by a private well for longer than 180 days after waterworks system facilities become available to the property. A resolution granting a connection waiver pursuant to this paragraph shall specify with reasonable particularity the non-habitable structures and non-potable water uses covered by the waiver and the term for which the waiver is granted. Connection waivers may be granted subject to such terms and conditions as the Village Board may deem appropriate, which shall include the following minimum requirements:

- a. All plumbing, well, and water supply related work, fixtures, and improvements on the property shall strictly comply with applicable codes, plumbing regulations, and other requirements of law.**
- b. No physical connection shall be permitted between the village waterworks system and any private well or water supply system. The water systems shall strictly comply with Section 8-16-5 of this code, including without limitation all provisions relating to prohibited cross connections, cross connection control devices, and installation, inspection, maintenance, and repair.**
- c. Each connection waiver shall be subject to revocation if the Village Board determines that: (i) any owner, occupant, or party or parties in possession of the property have failed to operate and maintain the private well or water supply system in conformity with the waiver's terms and conditions; (ii) continued use of the private well poses a risk of harm to the health, safety, or welfare of occupants or users of the property or the general public; (iii) continued use of a private well on the property will not conform with applicable regulations; or (iv) the best interests of the Village will be served by requiring the property to terminate the use of its private water source and to connect to the village waterworks system. If a connection waiver is revoked, the owner shall have 120**

days after written notice from the village (or such longer time as may be approved by the Village Board) to discontinue use of and permanently seal the private well. Notwithstanding the foregoing, the owner may be required to discontinue use of the private well in less than 120 days if necessary to prevent or abate an imminent risk to health, safety, or welfare.

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SECTION FOUR. **Effective Date.** This Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this ____ day of _____, 2022.

AYES: ()

NAYS: ()

ABSENT: ()

APPROVED this ____ day of _____, 2022.

Village President

ATTEST:

Village Clerk