

**VILLAGE OF TOLONO
CHAMPAIGN COUNTY, ILLINOIS**

ORDINANCE NO. 98-1

**ORDINANCE PROVIDING FOR
DUAL WATER METERS FOR RESIDENCES**

Adopted by the
Board of Trustees of the Village of Tolono
This 17th day of March, 1998

Published in pamphlet form by authority of the President and the Board of Trustees of the Village of Tolono, Champaign County, Illinois. This 17th day of March, 1998.

**VILLAGE OF TOLONO
CHAMPAIGN COUNTY, ILLINOIS**

ORDINANCE NUMBER 98-1

WHEREAS:

1. The Village Board of Trustees for the Village of Tolono, Illinois, hereinafter Village, is charged with preserving health, safety, and welfare of the public and is otherwise authorized to implement and revise regulations involving the use of municipal water and sewer service to the benefit of its citizens; and

2. The Village has recognized that certain residents making use of unusually large amounts of Village water pay a disproportionate share of sewer tax due to the excess usage relating to lawn watering, garden usage, and swimming pools which do not result in the drainage of water into the Village Sanitary Sewer System; and

3. The Village desires to provide for an alternate method of metering water reserved for such purposes for single family properties located within the boundaries of the Village of Tolono.

NOW THEREFORE BE IT HEREBY ORDAINED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF TOLONO, COUNTY OF CHAMPAIGN, STATE OF ILLINOIS, THAT THE FOLLOWING ORDINANCE IS HEREBY ADOPTED:

Section 1. - General

Owners of single family residences located within the Village limits shall be entitled to separately metered water purchased from the Village of Tolono and used solely for purposes outside of the dwelling limited to the watering of laws and/or gardens and use in swimming pools, hereinafter "Sewer Exempt Purposes". Said metering shall be separate and apart from all other water usage located on the premises with the general main water meter remaining connected to same. The additional water meter reserved for exclusively for said purpose and hereinafter referred to as "Second Water Meter" shall be connected to separated pipes and plumbing limited strictly to Sewer Exempt Purposes.

Section 2. Method

Residents desiring to utilize the Second Water Meter shall have the following options:

a. Temporary Meter.

Residents may utilize a Temporary Second Water Meter provided by the Village of Tolono and connected under the supervision of the Village of Tolono for service running from the months of no earlier than April 1 and no later than November 1 of each year. To secure a meter, the resident shall tender a deposit of \$75.00 with their permit application which shall be returned upon the return of said Second Water Meter in good condition on or before November 1st of each year.

b. Permits & Fees

To install a Temporary Second Water Meter, a resident must submit a completed application attached hereto and identified as Exhibit 2 together with an annual fee in the

amount of \$40.00 in addition to the deposit, if required. Such application shall be completed for each year a temporary Second Water Meter is used. Only one initial application shall be submitted for a permanent Second Water Meter. An annual fee of \$20.00 for the permanent Second Water Meter shall be paid when billed by the Village. Failure to make timely payment shall constitute the election and waiver of the applicant to receive the audit provided for in Section 3 below.

c. Permanent Meter.

At said resident's expense, the resident may alternatively elect to install a Permanent Second Water Meter for the purposes identified under this ordinance to be installed by a licensed plumber. In such instance, the resident must first secure a permit to do so from the Village of Tolono and further submit an affidavit substantially similar to Exhibit 1 attached hereto from said licensed plumber confirming that said Second Water Meter has been connected consistent with the requirements of the within ordinance. In the event that a resident elects to install a Permanent Second Water Meter, said resident shall further consent to inspection by the Village of Tolono upon 24 hours written notice for the purposes of confirming that plumbing is appropriately connected to said Second Water Meter consistent with the requirements of this Ordinance. In the event that access is either denied by the resident or, in the alternative, that the Village determines that the resident has illegally connected said second Water Meter, then as a condition of accepting a Permanent Second Water Meter, the credit provided resident in Section 3 below will discontinue until such time as the violation has been corrected where the inspection has taken place confirming that no violation exists. This remedy shall be in addition to any other remedy provided for under this ordinance or otherwise by law.

d. Back Flow.

All meters, whether Permanent or Temporary, shall contain certified "back flow" prevention devices sufficient to prevent the back flow of any water into the Village Water System.

Section 3. - Purpose.

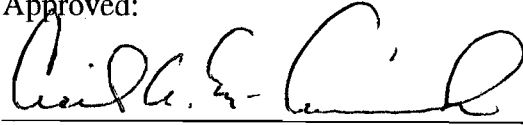
For those residents who legally utilize either a Temporary Second Water Meter or a Permanent Second Water Meter, in calculating the sewer use tax charged to water bills, the Village shall exclude the gallons of water accounted for on the Second Water Meter for the period extending from April 1 to November 1 of each year. Gallons accrued in any other month shall be included in the sewer use tax charged to water bills. All such meters shall be available for reading between the 15th and 20th days of each month. Failure to make meters available shall waive any credits for that month.

Section 4 - Violations.

In the event that any individual owns property which has a second water meter or other water meter connected in violation of this ordinance or any individual engages in activity to connect a water meter in violation of this ordinance, such a violation shall constitute a violation of this ordinance and shall result in a fine of not less than \$75.00 and not more than \$750.00. In such event, the Village, at its election, may seek injunctive relief to correct the illegal hook-up. In the event that any such violation, the resident shall permanently be prohibited from having a second water meter either permanent or temporary.

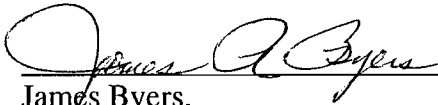
The within ordinance shall be published in pamphlet form and shall be effective upon publication. The foregoing ordinance was passed, approved and adopted by the Board of Trustees of the Village of Tolono, Illinois this 17th day of March, 1998.

Approved:



CECIL McCORMICK
President of the Board of Trustees

Attest:



James Byers,
Village Clerk

Any applicant for either a Permanent or Temporary Second Water Meter by the application for same consents to audit access to property and inspection by the Village, at its election, to determine that said Second Water Meter is being used for purposes consistent and is in compliance with this ordinance. Failure to allow for such inspection or failure to comply with this ordinance shall constitute the basis for termination of the use of and credits due from said Second Water Meter. In such instance, no fees shall be refunded.

**SECOND WATER METER
PERMIT APPLICATION**

Name

Address

Water Account No.

I hereby request a permit as follows:

_____ A Temporary Second Water Meter
(\$75.00 deposit required, \$40.00 fee each year.)

_____ A Permanent Second Water Meter
(\$20.00 fee due when billed or no sewer tax credit.)

By submitting this Permit Application, I am requesting to be allowed to have a Second Water Meter and understand that it is to be metered to monitor only water that is used for the watering of lawns and/or gardens and use in swimming pools. I have read an "Ordinance Providing for Dual Water Meters for Residences" and understand it. I recognize that it is a privilege to be able to make use of this meter and understand that if I violate the ordinance that a fine of not less than \$75.00 and not more than \$750.00 may be made against me. I consent to audit, access to my property, and inspection by the Village at its election to confirm my compliance with the Ordinance.

Dated this _____ day of _____.

The \$40.00 fee and, if applicable, the \$75.00 deposit are due up front with this application.

