



# VILLAGE OF ORLAND PARK

14700 Ravinia Avenue  
Orland Park, IL 60462  
[www.orland-park.il.us](http://www.orland-park.il.us)

## Certified Copy

ORDINANCE: 3698

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File Number: 2002-0570

Enactment Number: 3698

### AN ORDINANCE AMENDING TITLE 4 OF THE VILLAGE CODE TO ESTABLISH CRITERIA FOR THE SUPPLY OF WATER AND SANITARY SEWER SERVICES BY THE VILLAGE TO CERTAIN UNINCORPORATED AREAS

WHEREAS, it is in the best interest of the Village of Orland Park to control the extension of the municipal water and sanitary sewer system to ensure that an adequate supply of water for current and future customers and that adequate capacity in the Village's sanitary sewer system is maintained to accommodate future customers located within the corporate limits of Orland Park; and

WHEREAS, the Village has received numerous requests from landowners and developers for the Village to provide water and sanitary sewer service to unincorporated areas near the Village limits; and

WHEREAS, the Village has limited water resources and, further, it is not in the best interest of the Village to furnish such utility service when to do so it either imposes substantial obligations and liability on the Village or the proposed development violates the Village's Comprehensive Plan and principles of good municipal planning; and

WHEREAS, it is the general policy of the Village of Orland Park not to provide these services to any new customers outside the corporate limits of Orland Park; and

WHEREAS, it may be in the interest of the Village, however, from time to time and under very limited circumstances to grant variances to this policy and allow for provision of water and/or sanitary sewer service to an unincorporated parcel(s);

NOW, THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

#### SECTION 1

This President and Board of Trustees of the Village of Orland Park hereby find that it is in the best interests of the Village of Orland Park and its residents that the Village Code be amended as herein provided.

#### SECTION 2

Title 4, Water and Sewer, Chapter 1, Combined Waterworks and Sanitary Sewage System, of the Village Code of the Village of Orland Park is hereby amended to delete

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**any language in Section 4-1-4, substitute the following language and add Sections 4-1-5 and 4-1-6 as here below provided:**

**4-1-4: NO SERVICE IN UNINCORPORATED AREAS.** No water and/or sanitary sewer service will be furnished or supplied by the Village to unincorporated areas.

**4-1-5: EXCEPTION, CONDITIONS.**

A variance to the prohibition in Section 4-1-4 may be granted upon a 4/5 affirmative vote of the corporate authorities then holding office if at least one (1) of the following conditions are met, and all of the conditions in 4-1-6, below, are met:

- (a) The water and/or sanitary sewer main(s) which would serve the property in question immediately abuts this property and no extension of publicly maintained water and/or sewer mains is required;**
- (b) A contract existing on or before the effective date of adoption of this Code section requires the Village to provide water and/or sanitary sewer service to the property in question;**
- (c) The proposed water and/or sanitary sewer connection is necessary and in the best interests of the Village in order to obtain a grant of easement or right-of-way in favor of the Village of Orland Park;**
- (d) The proposed water and/or sanitary sewer connection assists the Village in looping or otherwise improving the reliability of the existing municipal water and/or sanitary sewer system; or**
- (e) The owner of the property in question and the Village have executed a pre-annexation agreement providing for the annexation of the said property to the Village upon it becoming contiguous to the Village boundaries, anticipated to occur within one (1) year of the date of such pre-annexation agreement.**

**4-1-6: ADDITIONAL CONDITIONS.**

In addition to meeting at least one of the conditions in Section 4-1-5, above, any proposed request for connection to the Village's water and/or sanitary sewer system must comply with the conditions listed below, unless a contract existing on or before the effective date of adoption of this Code section specifically provides differently:

- (a) The parcel(s) do not require a storm water management system, which would include rear yard or street storm sewers under which a Metropolitan Water Reclamation District of Greater Chicago (MWRD) permit is required;**
- (b) No other utility service is available as determined by the Village Engineer;**

(c) The proposed development meets the Village's Comprehensive Plan and all of the Village's other planning requirements, such as density, tree preservation, park or open space donation;

(d) The owner/developer has executed an agreement with the Village to pay school and transportation exaction fees as required by the Village Land Development Code;

(e) No other governmental jurisdiction, including surrounding communities, townships or the county, has an objection to the development plan;

(f) For an area north of 131st Street, the location must meet the criteria established in Village of Orland Park Resolution #9620;

(g) The owner/developer must agree to "loop" the water system within the development and/or to existing facilities;

(h) The Village must review and approve all connection locations, construction plans, studies and drawings necessary for the connection to Village maintained facilities;

(i) The owner/developer must submit a Letter of Credit to assure completion of any public improvements in a form and amount, and with a financial institution, acceptable to the Village;

(j) The owner/developer shall provide a study to the Village showing anticipated water usage for the entire development once fully complete. This will be reviewed by the Village to determine if sufficient water capacity and storage is available;

(k) The owner/developer shall construct and install booster pumps as required for proper pressure to the water customers;

(l) The owner/developer will agree in writing to defend and hold harmless the Village and its officers and employees with respect to any and all claims and liabilities in connection with the delivery of water service and sanitary sewer service without limitation;

(m) The owner/developer will pay to the Village the connection fee at the then current rate (\$2,500 for a single family detached unit, as of the date of adoption of this Code amendment), and the owner/developer will reimburse the Village for its cost of the water meter supplied by the Village;

(n) The owner/developer shall be in good standing (i.e., no history of default in agreements with the Village) with the Village of Orland Park;

(o) The owner/developer and all present and future property owners must pay to the Village the unincorporated water charges as established by the Village from time to time; and

(p) The geographic limits for the service area are as follows: 123rd Street on the north between Wolf Road and LaGrange Road; 139th Street on the north, between Will-Cook Road and Wolf Road; 135th Street on the north between LaGrange Road and Harlem Avenue; and I-80 on the south.

### **SECTION 3**

**Any ordinance in conflict or inconsistent with the provisions of this Ordinance is repealed to the extent of such conflict or inconsistency.**

### **SECTION 4**

**This Ordinance shall take effect from and after its passage and approval in the manner provided by law.**

I, John C. Mehalek, certify that this is a true copy of ORDINANCE No. 2002-0570, passed by the Village Clerk on 10/10/2002.

Attest: \_\_\_\_\_

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Date Certified