

MEMORANDUM

To: John Ingram
From: Erin Lavery; Ken Friker
Date: June 17, 2015
Re: Water Allocation Rules

The Illinois Department of Natural Resources (“IDNR”) has recently revised its Lake Michigan Water Allocation Rules and Regulations. The updated Lake Michigan Water Allocation Rules and Regulations made several changes to Section 3730.307 Conservation Practices and Other Permit Conditions. Specifically, the updated rules require domestic permittees to update their ordinances/building codes to be consistent with the following two newly incorporated provisions:

1. The adoption of ordinances requiring that new and replacement plumbing fixtures be a labeled WaterSense product, as specified by USEPA.
2. The adoption of ordinances that restrict non-essential outside water uses to prevent excessive, wasteful use. These shall provide that unrestricted lawn sprinkling will not be allowed from May 15 through September 15 of each year by requiring, as a minimum, that lawn sprinkling shall not occur on consecutive days nor shall any lawn sprinkling occur during at least a 6 hour period in the middle of the day (i.e., 10 a.m. through 4 p.m., noon to 6 p.m.) when evapotranspiration is at its highest. New lawns (less than 3 months old) may be exempted from this provision. In addition, new/replacement sprinkler systems shall be equipped with a WaterSense labeled irrigation controller and shall be in compliance with Section 2.5(g) of the Illinois Plumbing License Law [225 ILCS 320].

In accordance with IDNR’s Memorandum dated March 31, 2015, the Village is required to submit its revised ordinance to IDNR by September 30, 2015 to demonstrate its compliance with the updated rules.

The attached amendments update the restrictions set forth in Section 4-8-3 Lawn Sprinkling and Other Outdoor Water Use, so as to cause the Village’s ordinance to be compliant with 17 Illinois Administrative Code 3730.307(c), by:

- Making the odd/even restriction mandatory, to prevent consecutive day sprinkling/outdoor water use;

- Addressing the consecutive odd days during the restriction period (May 31st/June 1st; July 31st/August 1st and August 31st/September 1st) to prevent consecutive day sprinkling/outdoor water use;
- Providing an exception for new lawns less than three months old; and
- Requiring new or replacement sprinkler systems to be equipped with a labeled WaterSense product and in compliance with the Illinois Plumbing License Law.

Additionally, we have reviewed the two proposed Village Plumbing Code amendments sent to us on June 4, 2015, and recommend adopting the attached version. Notably, our review of Section 5-4 of the Village Plumbing Code was limited to Section 5-4-3 Local Ordinance Water, Sanitary Sewer and Storm Sewer and Appurtenance Regulations. It is our opinion that the attached amendments, which have also been reviewed by the Illinois Department of Public Health, effectively and in a concise manner comply with the new requirements set forth in 17 Illinois Administrative Code 3730.307(c)(4) by requiring all new plumbing fixtures and irrigation controllers installed after the effective date of the adopted ordinance to bear the WaterSense label when such labels are available.

Please feel free to contact me or Ken with any questions or concerns.

Very truly yours,

KLEIN, THORPE, & JENKINS LTD.

Erin Lavery
Ken Friker

Enclosures

4-8-3: LAWN SPRINKLING AND OTHER OUTDOOR WATER USE:

1. At all times of the year lawn sprinkling, whether performed by manual hose and sprinkler placement or by automatic systems, is permitted only between the hours of either 7 - 11 a.m. or 7 - 11 p.m. Other outdoor water use is unregulated from September 16 of any year to May 14 of the following year.

2. Between May 15 and September 15, inclusive, of every year, all outdoor water use is permitted only on an odd/even basis (on odd numbered calendar days if the last digit in the street address is odd and on even numbered calendar days if the last digit in the street address is even), and only during the hours of either 7 - 11 a.m. or 7 - 11 p.m. on the permitted days. Additionally, no person, firm or corporation residing at an odd numbered street address may use Lake Michigan water on both the 31st day of May, July and/or August and on the 1st day of the next month for outdoor watering; the intent being to prohibit the use of Lake Michigan water for all outdoor water use on consecutive days.

3. Outdoor water use as regulated above shall include, but not be limited to, all lawn and garden sprinkling by hose-fed sprinklers or underground irrigation systems for residential and commercial property, all non-commercial car washing, residential pool maintenance, and other similar uses, but shall not include water used for golf course irrigation, construction or building renovation purposes, commercial car-wash operations, or the filling of residential or other swimming pools. (Ord. 4048, 7-18-05)

4. Notwithstanding the above regulations, newly sodded lawns (less than three (3) months old) may be watered more frequently than otherwise permitted upon application for and receipt of a special permit from the Public Works Department.

5. The Village reserves the right to further limit or suspend all outdoor water use when the President and Board of Trustees determine that public exigencies or emergencies require such action. If public exigencies or emergencies so require, due to the possibility that the water supply will not meet demand, the President may unilaterally declare and take such action prior to the next regularly scheduled or specially scheduled meeting of the President and Board of Trustees. At the next meeting of the President and Board of Trustees after the Village President's action, the emergency conservation action shall be abated, continued, or made more stringent by the President and Board of Trustees.

6 In addition to the above restrictions, lawn sprinkling systems shall comply with the Orland Park Plumbing Code by being equipped with an approved rain detection device at installation. In order to assist existing lawn sprinkling systems without such devices to be retrofitted with rain detection devices, the Village has established a cost-sharing program that will reimburse 50% of the cost of installation of an approved rain detection device, up to a maximum reimbursement of \$70.00. The Building

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Department administers this program and will issue a no-charge permit for the installation of an approved rain detection device on an existing lawn sprinkling system that does not have such a device. (Ord. 3704, 11-4-02) In addition, new/replacement sprinkler systems shall be equipped with a WaterSense labeled irrigation controller and shall be in compliance with Section 2.5(g) of the Illinois Plumbing License Law [225 ILCS 320].

7. Any person, corporation or organization of any kind violating the provisions of this Section, or of any special permit obtained under this Section, shall be fined not less than \$25 nor more than \$750.00 for each offense. Each day of violation and each violating location shall be considered a separate offense under this Section.

8. Any person, corporation or organization of any kind violating the provisions of any special emergency order issued by the Village President and eventually approved by the Village Board shall be fined as in the above paragraph, provided that said person, corporation or organization has first been given notice of the special emergency order by telephone, facsimile, U.S. mail or personal service. After notice is given, each day of violation and each violating location shall be considered a separate offense under this Section. (Ord. 3297, 10-4-99)

9 Upon proper application to the Village and in accordance with rules and regulations established from time to time by the Village Director of Public Works, an outdoor watering system utilizing a private well or, privately owned retention pond may be installed by the person, firm or corporation owning the well or the single-family/multi-family homeowner's association served by the pond so long as such outdoor watering system has been fully inspected and approved by the Village Building Department/Code Enforcement Officer(s), is at all times in compliance with all applicable Village Codes and Ordinances, is installed so as to prevent any cross-connection with the Village potable water system, includes automatic shutoff during rainfall and the Village is fully indemnified and held harmless from any liability resulting from the installation and operation of such outdoor watering system. Publicly (Village) owned retention ponds shall not be used for outdoor water irrigation. The Village Director of Public Works shall provide an appropriate application form for the installation and operation of an outdoor watering system utilizing a private well or privately owned retention pond. An approved application shall result in a permit for such installation. The permit may be conditioned as the Director of Public Works finds necessary or appropriate to meet the requirements of this sub-section. (Ord. 4048, 7-18-05; Amd. Ord. 4147, 6-19-06)

10. Upon proper application to the Village and in accordance with rules and regulations established from time to time by the Village Director of Public Works, an aerator for a publicly (Village) owned retention pond may be installed by a single-family/multi-family homeowner's association served by the pond so long as the

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aerator system has been fully inspected and approved by the Village Building Department/Code Enforcement Officer(s), is at all times in compliance with all applicable Village Codes and Ordinances, and the Village is fully indemnified and held harmless by the homeowner's association installing and operating the aerator from any liability resulting from the installation and operation of such aerator. The Village Director of Public Works shall provide an appropriate application form for the installation and operation of the retention pond aerator. (Ord. 4048, 7-18-05)

11 Outdoor watering systems permitted pursuant to sub-section 9, above, shall be exempt from the restrictions and requirements of sub-sections 1, 2, 5 and 6 of this Section 4-8-3. (Ord. 4147, 6-19-06)

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6-15-15 Committee
Proposed Plumbing Code Amendments to the Village Code (5-4)

5-4-1: VILLAGE PLUMBING CODE ADOPTED

5-4-1-1: DELETIONS

5-4-1-2: MODIFICATIONS

5-4-1-3: ADDITIONS

5-4-2: PLUMBING PERMIT REQUIRED

5-4-3 LOCAL ORLAND PARK WATER SANITARY SEWER AND STORM SEWER AND APPURTENANCE REGULATIONS

5-4-4 VIOLATIONS

5-4-1: VILLAGE PLUMBING CODE ADOPTED:

The following rules and regulations, printed in book, or pamphlet form, with at least one (1) copy of which was on file in the office of the Village Clerk prior to the enactment of this Section, shall be applicable for minimum requirements. The Village Plumbing Code regulations, are available for inspection by the public and are electronically accessible through the Village of Orland Park's website <http://www.orland-park.il.us/> are hereby adopted by reference and made a part of this Chapter for the installation and maintenance of and work on plumbing and drainage systems, new and existing, in the Village. Plumbing contractor registration and penalties shall be as regulated by the Illinois Administrative Code referenced below:

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER IV: DEPARTMENT OF PUBLIC HEALTH
PART 750 PLUMBERS LICENSING CODE
SECTION 750.1000 CIVIL PENALTIES FOR UNLICENSED PLUMBERS

Where, in this Code, there is a reference to the Plumbing Code that will also mean the Village Amendments to the Plumbing Code, enumerated below as deletions, modifications and additions.

Adopted and applicable to the installation and maintenance of and work on plumbing and drainage systems, new and existing, in the Village, are those rules and regulations set forth in the State of Illinois Compiled Statutes **225 ILCS 320** and The State of Illinois Plumbing Code," also identified as Title 77 of the Illinois Administrative Code, Public Health, Chapter 1, Subchapter r, Water and Sewage, Part 890, et seq., including appendices and tables, with the modifications set forth below. (Ord. 2736, 6-6-95; Amd. Ord. 4067, 9-6-05)

5-4-1-1: DELETIONS:

The following Sections or Subsections are not adopted and are specifically excluded in their entirety, unless otherwise specified: (Ord. 3798, 9-2-03)

- 1. Section 890.320(l) (2) Joints and Fittings in Plastic Pipe for potable water.**

2. **Section 890. Appendix A, Table A, Approved Building Drainage/Vent Pipe**, Item 12 reference to Polyvinyl Chloride (PVC) Pipe with Cellular Core only and footnote 4
3. **Section 890, Appendix A, Table A, Approved Materials for Water Service Pipe**, Items 1, 4, 7, 8, 9, 10, 11 and 12. (Ord. 4067, 9-6-05)
4. **Section 890, Appendix A, Table A, Approved Materials for Water Distribution Pipe**, Items 2, 5, 7, 8 and 9. (Ord. 4067, 9-6-05)

5-4-1-2: SECTION MODIFICATIONS:

The following Sections shall be amended in the following respects:

1. **Section 890.310** shall be amended to add at the end of the section the following words: "All copper water tubing, when installed underground shall be a minimum of Type K, and when above grade shall be a minimum of Type L"
2. **Section 890.330(c)** shall be amended to delete the reference to CPVC for potable water applications.
3. **Section 890.340 f)** Copper water tube is to be amended to add the following language at end of subsection:
 - Flared joint adapter shall be required at all water service supply lines two (2) inch or less with full port ball valve upstream of water meter.
 - Soldered and/or braised fittings shall not be installed below grade

5-4-1-3: SECTION ADDITIONS:

The following new Sections or Subsections shall be added at the appropriate location in their entirety:

1. **Section 890.420 (a) (6) Pipe Cleanouts**
On multiple units with slab on grade construction a cleanout shall be extended to the exterior of foundation at end of building drain run(s) where feasible.
2. **Section 890.1360 - Sanitary wastes below sewer:** b) Design: add at end subsection no sump or ejector basin shall be less than 30" deep with minimum 14" sump below inlet pipe invert or of approved design specified by the manufacturer.

5-4-2: PERMIT REQUIRED:

1. WORK PERMIT:

- a. No plumbing work whether new construction or alteration shall be undertaken by any person, firm or corporation unless a permit has been issued therefor. The plumbing permit may be included on the Village Building Permit.
- b. A plumbing permit shall only be issued to a licensed plumbing contractor, except as specified in (3), below.

- c. In the case of a single family residence, a plumbing permit may be issued to the owner/occupant or lessee/occupant of said residence. Further, such owner/occupant or lessee/occupant shall only employ a licensed plumber.

2. APPLICATION:

Application for a plumbing permit shall be made on the forms provided by the Village Building Department. Said application shall be accompanied by the fees established by Ordinance.

3. ISSUANCE OF PERMIT:

No plumbing permit shall be issued until after plans and specifications showing the proposed plumbing work have been submitted, reviewed and approved by the Village Building Department. If a plumbing permit is denied, the applicant shall submit revised plans and specifications. When it is found necessary to make any change in the plumbing from the plans and specifications on which a permit has been issued, amended plans and specifications shall be submitted to the Village Building Department for approval prior to actual making of any change in the plumbing system.



5-4-3 LOCAL ORLAND PARK WATER, SANITARY SEWER AND STORM SEWER AND APPURTENANCE REGULATIONS

1. LAWN SPRINKLERS:

Any lawn sprinkler controls, piping or appendages placed in public rights-of-way shall be located not less than three (3) feet from any existing or planned public street curb and gutter line. In addition, all lawn sprinkler systems shall be equipped with an approved rain detection device. The Village shall not be responsible for the maintenance of private lawn sprinkler systems within the public rights-of-way. The adjacent property owner assumes all risk involved in choosing to place lawn sprinkler components in the public rights-of-way. Furthermore, the Village of Orland Park shall not be responsible for the restoration or repair of private sprinkler systems within the public rights-of-way.

2. WATER CONSERVATION:

Pursuant to 17 Ill. Adm. Code 3730.307 (4) and subject to the Illinois Plumbing Code (77 Ill. Adm. Code 890) and the Lawn Irrigation Contractor and Lawn Sprinkler System Registration Code (77 Ill. Adm. Code 892), be it hereby ordained that in the Village of Orland Park, all new plumbing fixtures and irrigation controllers installed after the effective date of this ordinance shall bear the WaterSense label (as designed by the U.S. Environmental Protection Agency WaterSense Program), when such labeled features are available.

3. HEALTH AND SITE DRAINAGE REGULATIONS

See Village Code for local regulations

Building Code 5-1-13, Chapters 1, 12 and 29

Energy Code 5-1-13, Chapter 13, Energy Efficiency

Health Code 6-1-1-5

 **5-4-4: VIOLATIONS**

1. STATE OF ILLINIOS: Any person, firm or corporation who fails or refuses to comply with the rules and regulations contained within the Village of Orland Park's adopted Plumbing Code shall be reported to the Illinois Department of Public Health. Stop Work orders can be enforced until subjects are resolved.
2. VILLAGE OF ORLAND PARK: Re-inspections and changes to the approved plans which cause additional site inspection visits and plan review shall follow the required Plumbing Permit Inspection Fees referenced in Title 5, Chapter 2 of the Village Code. The Village Code can be electronically accessed at: <http://www.orland-park.il.us/>. See Village Code for other items referenced in 5-4-3, Item #3, not regulated in the State of Illinois Plumbing Code for Health and site drainage concerns.