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AN ORDINANCE AMENDING TITLE 4, SECTION 8, SUBSECTION 3 OF THE ORLAND PARK VILLAGE CODE IN REGARD TO LAWN SPRINKLING AND OTHER OUTDOOR WATER USE

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WHEREAS, the Village President and Board of Trustees of the Village of Orland Park (the "Village") have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and to protect the public health, safety and welfare of its citizens; and

WHEREAS, the Illinois Department of Natural Resources (the "IDNR") has recently reviewed its Lake Michigan Water Allocation Rules and Regulations and has required municipalities obtaining their water supply from Lake Michigan to adopt ordinances to restrict non-essential outdoor water uses to prevent excessive and wasteful water use.

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:

The above recitals are incorporated herein by reference as though fully set forth herein.

SECTION 2:

Title 4, Section 8-3 of the Orland Park Village Code is hereby amended so as to read in its entirety as follows:

"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 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 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)"

SECTION 3

If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4

The Village Clerk is hereby authorized and directed to publish this Ordinance in pamphlet form and to provide a certified copy thereof to the IDNR as required by law.

SECTION 5

This Ordinance shall be in full force and effect from and after its adoption and publication in pamphlet form as provided by law.