Agenda Item # 54

DISTRIBUTION
County Board
County Clerk
County Administrator
Recorder of Deeds
Public Works

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

COUNTY BOARD, LAKE COUNTY, ILLINOIS

ADJOURNED REGULAR SEPTEMBER, A.D. 2006 SESSION

OCTOBER 10, 2006

MADAM CHAIR AND MEMBERS OF THE COUNTY BOARD:

Your Public Works and Transportation Committee presents herewith an Amended Ordinance Restricting the Outside Use of Water in Public Water Supply Systems of the County of Lake, Illinois, and request its adoption.

Respectfully submitted,

	Aye	Nay
Diane O'Kelly CHAIR	✓	
Paul Gaffney VICE CHAIR	✓	
Ann B. Maine	✓	
Sandy Cole	✓	
Michael A. Talbott	✓	

PUBLIC WORKS AND TRANSPORTATION COMMITTEE

CERTIFIED TO BE A TRUE COPY OF RECORDS OF THE LAKE COUNTY BOARD MEETING OF

OCT 10 2006 APPROVED

CERTIFICATION NOT VALID UNLESS SEAL OF LAKE COUNTY, ILLINOIS IS AFFIXED

Willard R Helander County Clerk

VOICE VOTE

AN AMENDED ORDINANCE RESTRICTING THE OUTSIDE USE OF WATER IN PUBLIC WATER SUPPLY SYSTEMS OF THE COUNTY OF LAKE, ILLINOIS.

WHEREAS, the County of Lake is a participant in the allocation process of Lake Michigan water and is subject to the rules and regulations of the Illinois Department of Transportation (IDOT) and/or the Illinois Department of Natural Resources (IDNR), under its permit for the withdrawal of Lake Michigan water; and

WHEREAS, IDOT/IDNR has promulgated a rule restricting non-essential water uses, with particular reference to lawn sprinkling, and has requested that permitees incorporate similar provisions within their ordinances; and

WHEREAS, the County of Lake, through its Department of Public Works, operates certain public water supply systems that utilize water drawn from public wells, which were negatively impacted in 2005 by drought weather conditions, which demonstrated the need to have effective public water restrictions on non-essential water uses in place;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF LAKE, LAKE COUNTY, ILLINOIS, as follows:

SECTION 1. RESTRICTIONS ON WATER USE.

The following mandatory water conservation regulation shall be applicable to all water service customers of the County of Lake Department of Public Works.

A. **Summer General Water Use Restriction.**

1. Excepting the use of hand-held hoses or sprinkling cans used for the watering of gardens and shrubs, the use of water from the County water system for landscape irrigation and all outside water use including, but not limited to washing cars and vehicles and filling pools, from May 15 through September 15 of each year is prohibited between the hours 10:00 AM and 6:00 PM, except that newly sodded or seeded areas of lawns may be watered at any time for a two-week period following installation of such sod or planting of such seed.

2. Occupants with even-numbered residences or structures shall be limited to water lawns and gardens and other landscape uses, wash cars and vehicles, and use water for outside use only on even-numbered days. Occupants with odd-numbered residences or structures shall be limited to water lawns and gardens and other landscape uses, wash cars and vehicles, and use water for outside use only on odd-numbered days.

B. **Landscape Water Use Restrictions.**

Definition. *Landscape.* For purposes of this Ordinance, the term "landscape" shall include shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, or flowers.

C. **Emergency Water Shortage.**

1. The Director of the Department of Public Works is authorized, when the circumstances warrant, to issue a declaration of chronic water shortage, to ensure the maintenance of an adequate water supply of water to meet internal residential, business and firefighting requirements. Upon the declaration of a chronic water shortage situation, the following authorities or restrictions shall immediately be in force and effect.

(a) Following the initial declaration of a chronic water shortage, the Director is authorized, for all landscape water use, washing of cars and vehicles, and outside water usage, to restrict or limit water usage to specific hours or to totally prohibit such outside water usage.

2. Public Use Conservation Programs. When a chronic water shortage situation arises, the Director is authorized to order all public users to restrict activities calling for high water consumption. The high water consumption category includes, but is not limited to, the testing and clearing of fire hydrants, the cleaning of water mains, the conduct of fire drills, street washing (except in emergencies), sewer flushing, and the watering of public areas.

3. Administration. The authority to administer and enforce this Ordinance shall be in the Director of the Department of Public Works, or his or her designees. As the County provides public water services in some municipalities, the Director is authorized, by writing, to delegate enforcement of this Ordinance within municipal boundaries to officers or employees of that municipality, including court enforcement, if necessary.

4. Variances. Variances from the regulatory standards of this Ordinance may be granted in accordance with the requirements provided below. Any application for a variance shall be made to, and decided by, the Director. No variance shall be granted unless the applicant for the variance can demonstrate that:

(a) An exceptional economic or other hardship would result without the variance; and

(b) The relief granted is the minimum necessary; and

(c) There will be no additional threat to public health, safety or welfare or the creation of a nuisance; and

(d) No additional public expense will result.

5. Emergency Water Usage Plan. The Department of Public Works, through its Director, officers, and employees, shall establish, and keep on file, a current Emergency Water Use Plan for implementation and/or imposition during declared emergency water shortages.

SECTION 2. PENALTIES.

A. Any person or water customer who violates any provision or section of this Ordinance, or who violates any declaration or order of the Director under this Ordinance, shall be fined not less than $50.00, nor more than $250.00 for each violation. Each day that a violation exists or occurs shall constitute a separate offense.

B. The Director may also take any other available legal action necessary to prevent or to remedy any violation, including but not limited to appropriate equitable or injunctive relief or discontinuation of water service to the violator.

SECTION 3. VALIDITY.

A. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

B. The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance, which can be given effect without such invalid part or parts.

SECTION 4. EFFECTIVE DATE. This amended Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

Adopted at Waukegan, Lake County, Illinois on this 10th day of October, A.D., 2006.
SECTION 7. This ordinance shall be published and take effect as provided by law.

CHAIR, COUNTY BOARD

ATTEST: (SEAL)

COUNTY CLERK

Adopted: September 11, 1990
Amended: October 10, 2006