

**VILLAGE OF ROSEMONT**

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**ORDINANCE NO. 2015-11-18 F**

**AN ORDINANCE AMENDING THE PLUMBING CODE OF THE VILLAGE OF ROSEMONT TO ADOPT CERTAIN WATER CONSERVATION PRACTICES REQUIRED BY LAKE MICHIGAN WATER ALLOCATION RULES AND REGULATIONS**

WHEREAS, the Village of Rosemont is a home rule unit of local government pursuant to the provisions of Article VII, Section 6 of the Illinois Constitution; and

WHEREAS, as a home rule unit of local government, the Village may exercise any power and perform any function pertaining to its government and affairs except as limited by Article VII, Section 6; and

WHEREAS, the Village of Rosemont has an allocation of Lake Michigan water and is subject to complying with water allocation rules adopted by the Illinois Department of Natural Resources; and

WHEREAS, the Illinois Department of Natural Resources ("IDNR") has amended its current Lake Michigan water allocation rules and regulations (17 Ill. Adm. Code §3730.307) to adopt conservation practices that the Village must comply with as a permittee of Lake Michigan water; and

WHEREAS, the new conservation practices required by IDNR include the adoption of ordinances requiring that new and replacement plumbing fixtures be a labeled WaterSense product, as specified by USEPA; and

WHEREAS, IDNR also requires that Lake Michigan water permittees restrict non-essential outside water uses from May 15 through September 15 of each year; and

WHEREAS, the corporate authorities of the Village of Rosemont have determined that it is in the best interests of the Village and its residents to adopt the water conservation measures set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ROSEMONT, COOK COUNTY, ILLINOIS, in the exercise of its home rule powers, as follows:

**SECTION 1:** That Article 1 (General) of Chapter 7 (Buildings) of the Municipal Code of the Village of Rosemont be and the same is hereby amended to add the following as Section 7-10 thereof entitled "Water Conservation":

**7-10. Water Conservation.**

**7-10.1 WaterSense Fixtures.** Notwithstanding anything to the contrary contained within this chapter, pursuant to 17 Illinois Administrative Code 3730.307(c)4, and subject to the Illinois Plumbing Code (77 Illinois Administrative Code 890) and the Lawn Irrigation Contractor and Lawn Sprinkler System Registration Code (77 Illinois Administrative Code 892), all new or replacement plumbing fixtures and irrigation controllers installed after the effective date of this ordinance shall bear the WaterSense label as designated by the U.S. Environmental Protection Agency WaterSense program when such labeled fixtures are available.

**7-10.2 Restrictions on Lawn Sprinkling.** For purposes of this section, "lawn" shall mean that portion of any lot under cultivation with grass, trees, shrubs, bushes or other type of vegetation.

- (a) During the period from May 15 through September 15 of each year, it shall be unlawful for any person to use water for hose fed sprinkling or electronic irrigation of lawns on any day between the hours of 12:00 o'clock noon through 6:00 o'clock p.m.
- (b) During the period from May 15 through September 15 of each year, it shall be unlawful for any person to use water for hose fed sprinkling or electronic irrigation of lawns on the 31<sup>st</sup> day of any month.
- (c) In addition to the prohibitions stated in paragraphs (a) and (b) hereof, it shall be unlawful during all hours during the period from May 15 through September 15 of each year, on even-numbered days of the month, for

any person to use water for hose fed sprinkling or electronic irrigation of lawns located on odd numbered lots.

- (d) In addition to the prohibitions stated in paragraphs (a) and (b) hereof, it shall be unlawful during all hours during the period from May 15 through September 15 of each year, on odd-numbered days of the month, for any person to use water for hose fed sprinkling or electronic irrigation of lawns located on even numbered lots.
- (e) The restrictions contained in paragraph (a), (b), (c) and (d) hereof shall not apply during the first two weeks after new sod has been placed, or during the first two weeks after a lawn has been newly seeded, provided that the owner or occupant of the property has obtained a sod watering permit from the Village's Department of Public Works.
- (f) If the Mayor determines that an emergency exists which requires that the consumption and use of water within the Village be limited in order to protect the health and safety of persons within the Village, the Mayor may issue an emergency order which limits and otherwise restricts the use of water within the Village. Such an emergency order shall remain in effect for up to 72 hours unless the order is extended by vote of the Village's corporate authorities.
- (g) Any person who violates the provisions of paragraphs (a), (b), (c), (d) or (e) of this Section, or who violates an emergency order issued pursuant to paragraph (f) of this Section, shall be fined no less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00) for each offense. Each that day that a violation occurs or continues shall constitute a separate offense.

**SECTION 2:** That Ordinance No. 90-6-6J is hereby repealed.

**SECTION 3:** This ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the Village of Rosemont that to the extent that the terms of this ordinance should be inconsistent with any non-preemptive state law, that this ordinance shall supersede state law in that regard within its jurisdiction.

**SECTION 4:** This ordinance shall be in full force and effect upon its passage and approval and shall subsequently be published in pamphlet form as provided by law.

PASSED by the following roll call vote this 18<sup>th</sup> day of November, 2015.

AYES: *Trustees Hesselberger, Minale, Morgan, Fazio, Pappas,*

NAYS: *0*

ABSENT: *0*

APPROVED this 18<sup>th</sup> day of November, 2015.

  
VILLAGE PRESIDENT

ATTEST:

  
VILLAGE CLERK

