

**ORDINANCE NO. 2018-15**

**AN ORDINANCE AMENDING CHAPTER 86, SECTION 86-151 OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS REGARDING BACKFLOW PREVENTION DEVICES**

**WHEREAS**, the Village of Stickney (the “Village”) is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

**WHEREAS**, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

**WHEREAS**, the Village President (the “President”) and the Board of Trustees of the Village (the “Village Board” and with the President, the “Corporate Authorities”) are committed to ensuring the health, safety and welfare of individuals residing in, working in and visiting the Village; and

**WHEREAS**, the Corporate Authorities previously adopted the Illinois Plumbing Code (the “Plumbing Code”) to regulate plumbing within the Village; and

**WHEREAS**, the Municipal Code, Village of Stickney, Illinois (the “Village Code”) currently sets forth certain regulations for the installation and maintenance of backflow prevention devices (the “Existing Regulations”); and

**WHEREAS**, the Corporate Authorities recognize the need to update and clarify the Existing Regulations to reflect compliance with the state Plumbing Code, particularly in relation to the annual inspection requirement for such devices; and

**WHEREAS**, based upon the foregoing, the Corporate Authorities have determined that it is in the best interests of the Village and its residents to amend Chapter 86, Section 86-151 of the Village Code as set forth below;

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:**

**ARTICLE I.  
IN GENERAL**

**SECTION 1. INCORPORATION CLAUSE.**

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

**SECTION 2. PURPOSE.**

The purpose of this Ordinance is to amend Chapter 86, Section 86-151 of the Village Code to update and clarify the Village’s Existing Regulations, and to authorize the President or his designee to take all actions necessary to carry out the intent of this Ordinance.

**ARTICLE II.**  
**AMENDMENT OF CHAPTER 86, SECTION 86-151 OF THE MUNICIPAL CODE, VILLAGE  
OF STICKNEY, ILLINOIS**

**SECTION 3.0 AMENDMENT OF CHAPTER 86, SECTION 86-151.**

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 86, Section 86-151 as follows:

**Sec. 86-151. - Compliance with state plumbing code required; annual inspections.**

(a) All plumbing installed within the village shall be installed in accordance with the Illinois Plumbing Code, 77 Ill. Adm. Code 890. If, in accordance with section 890.1130(c) of the Illinois Plumbing Code, an approved backflow prevention device is necessary for the safety of the public water supply system, the water operator will give notice to the water customer to install such an approved device immediately. The water customer shall, at his own expense, install such an approved device at a location and in a manner in accordance with section 890.1130(f) of the Illinois Plumbing Code, state environmental protection agency and all applicable local regulations, and shall have inspections and tests made of such approved devices upon installation and as required by section 890.1130(b) of the Illinois Plumbing Code, state environmental protection agency and local regulations.

(b) Backflow prevention devices must be inspected by a licensed and certified plumber on an annual basis in accordance with Section 890.1130(b) of the Illinois Plumbing Code. Annual inspection reports shall be filed with the village or its designee. A reasonable fee may be assessed by the village or its designee for the filing and processing of the annual inspection reports.

(1) Penalties.

(i) Failure to file an annual inspection report within sixty (60) days of the mailing of notice from the village shall result in a minimum fine of \$100.00.

(ii) Failure to file an annual inspection report within ninety (90) days of the mailing of notice from the village shall result in an additional minimum fine of \$200.00.

(iii) Failure to file an annual inspection report within one-hundred and twenty (120) days of the mailing of notice from the village shall result in an additional minimum fine of \$300.00.

(iv) If no annual inspection report is filed within one-hundred and twenty (120) days of the mailing of notice from the village, the water account may be discontinued in accordance with Section 86-153.

(v) Water customers and/or property owners shall be jointly and severally liable for any and all fines assessed for the failure to obtain an annual backflow prevention device inspection.

**SECTION 3.1. OTHER ACTIONS AUTHORIZED.**

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms or notices to be utilized in connection with the intent of this Ordinance.

**ARTICLE III.  
HEADINGS, SAVINGS CLAUSES, PUBLICATION,  
EFFECTIVE DATE**

**SECTION 4. HEADINGS.**

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

**SECTION 5. SEVERABILITY.**

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

**SECTION 6. SUPERSEDER.**

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

**SECTION 7. PUBLICATION.**

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

**SECTION 8. EFFECTIVE DATE.**

This Ordinance shall be effective and in full force ten (10) days after its passage, approval and publication in accordance with Illinois law.

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**PASSED** this 17<sup>th</sup> day of April, 2018.

**AYES:** Trustees Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White

**NAYS:** None

**ABSENT:** None

**ABSTENTION:** None

**APPROVED** by me this 17<sup>th</sup> day of April, 2018.

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**Jeff Walik, President**

**ATTESTED AND FILED** in my  
office this 17<sup>th</sup> day of April, 2018.

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**Audrey McAdams, Village Clerk**