

**ORDINANCE NO. 04 - 10**

**ORDINANCE ESTABLISHING THE  
CROSS-CONNECTION CONTROL PROGRAM  
FOR THE VILLAGE OF EAST DUNDEE**

**WHEREAS**, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

**NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS.**

**Section One.** That the ordinance titled "An Ordinance Establishing the Cross-Connection Control Program for the Village of East Dundee, Illinois," is hereby approved and adopted as follows:

**SECTION 1. PURPOSE AND INTENT.**

The purpose of this program is to protect the public potable water supply from the possibility of contamination or pollution by eliminating or protecting actual or potential cross-connection in the water distribution and to provide for the operation of a continuing program to systematically and effectively prevent a contamination or pollution of the public water supply distribution system through cross-connections.

**SECTION 2. AUTHORITY.**

In accordance with the Federal Safe Drinking Water Act ("SDWA"), the National Interim Primary Drinking Water Regulations were promulgated on December 24, 1975, and became effective on June 24, 1977. These regulations replaced the Public Health Service Drinking Water Standard of

1962. It is stated in Appendix A of the rule that "minimum protection should include programs that result in ... prevention of health hazards, such as cross-connections."

The State of Illinois is granted primacy over the water program and the Illinois Environmental Protection Agency (Illinois EPA) is designated the implementing agency for all purposes of the Safe Drinking Water Act by the Illinois Environmental Protection Act [415 ILCS 5/4].

Pursuant to the Illinois Environmental Protection Act [415 ILCS 5], the Pollution Control Board Rules ("Board") and the Safe Drinking Water Act (42 U.S.C 300f et. seq.), owners and official custodians of a public water supply in the State of Illinois shall provide continuous operation and maintenance of public water supply facilities so that the water shall be assuredly safe in quality, clean, adequate in quantity, and of satisfactory mineral characteristics for ordinary domestic consumption.

Title 35, Subtitle F, Chapter II, Subpart H. Section 651.102 of the Illinois Administrative Code defines cross-connection as "any physical connection or arrangement between two otherwise separate piping systems, on of which contains potable water and the other contains water of unknown or questionable safety or steam, gases, or chemicals if there may be a flow from one system to the other." The definition includes any arrangement of piping where a potable water line is connected to non-potable water. It may be a pipe-to-pipe connection where potable and non-potable water lines are directly connected or a pipe-to-water connection where the potable water outlet is submerged in non-potable water. If the potable and non-potable sources are separated by gate valves, check valves or devices other than the appropriate backflow preventer as outlined in the regulation, a cross-connection exists. Bypass arrangements, jumper connections, swivel or changeover assemblies, or other temporary or permanent assemblies through which or because of which, backflow may occur are considered to be cross-connections.

The public water system purveyor is required to adopt and enforce an active cross-connection control program that contains the minimum components specified in Title 35, Subtitle F, Chapter II, Subpart H, Section 653.801.

As required by the Illinois Environmental Protection Act and the regulations of the Illinois Environmental Protection Agency, this cross-connection control ordinance and the cross-connection control policy manual have been officially adopted by the President and Board of Trustees of the Village of East Dundee, Illinois, to protect the public potable water supply from potential contamination through cross-connections.

### **SECTION 3. CROSS-CONNECTION CONTROL POLICY MANUAL**

The Village of East Dundee Cross-Connection Control Manual Policy, is hereby approved and adopted and contains all requirements, responsibilities, and special water service connection maintenance fees associated with this Cross-Connection Control Program.

All persons and facilities receiving water from the Village of East Dundee public potable water system, all Cross-Connection Control Device Inspectors, all installers of backflow prevention assemblies or devices, and any other involved or associated with cross-connection control and backflow prevention within the jurisdiction of the Village of East Dundee will adhere to and comply with the latest approved version of the Village of East Dundee Cross-Connection Control Policy Manual. Those failing to comply with the requirements established in the aforesaid policy manual will be subject to the penalties and enforcement actions established within the policy manual.

**Section Two. Severability.** If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

**Section Three. Repeal.** All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

**Section Four. Publication.** This ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 19<sup>th</sup> day of April, 2004, pursuant to a roll call vote as follows:

AYES: Zaeske, Ruffalo, Bartels, Schock, Van Ostenbridge, Scarpelli,

NAYES: None

ABSENT: None

Approved by me this 19<sup>th</sup> day of April, 2004.

Roger W Ahrens  
ROGER AHRENS, President

Published in pamphlet form this 20<sup>th</sup> day of April, 2004, under the authority of the President and Board of Trustees.

**ATTEST:**

Jane E. Theis  
JANE THEIS, Village Clerk

Recorded in the Village Records on April 20<sup>th</sup>, 2004.

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