
THE VILLAGE OF BLOOMINGDALE
DUPAGE COUNTY, ILLINOIS

ORDINANCE
NUMBER 2021-01

**AN ORDINANCE AMENDING
TITLE 9 OF
THE VILLAGE OF BLOOMINGDALE
CODE OF ORDINANCES**

FRANCO A. COLADIPIETRO, Mayor

JANE E. MICHELOTTI, Village Clerk

VINCE ACKERMAN
WILLIAM BELMONTE
BILL BOLEN
FRANK BUCARO
PATRICK SHANNON
JUDI VON HUBEN

Village Board

Published in pamphlet form by authority of the
President and the Board of Trustees of the Village of Bloomingdale
on this the 11th day of January 2021

ORDINANCE NO. 2021-01

**AN ORDINANCE AMENDING
TITLE 9 OF
THE VILLAGE OF BLOOMINGDALE
CODE OF ORDINANCES**

WHEREAS, the Village of Bloomingdale (hereinafter referred to as "Village") is a home rule unit of local government with authority granted pursuant to the Illinois Constitution of 1970, to exercise certain powers and perform certain functions pertaining to its local government and affairs;

WHEREAS, the Illinois Constitution of 1970 provides that a Home Rule Unit may 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; to license, to tax; and to incur debt;

WHEREAS, the Village has in full force and effect a codified set of those ordinances of the Village which are of a general and permanent nature, which said codified set is known and designated as the Village Code of the Village of Bloomingdale, as amended;

WHEREAS, Title 9 Chapter 1 provides for the general water and sewer regulations;

WHEREAS, the Village Board recognizes that the existing code does not provide Village Staff with the power necessary to deal with issues relating to the effective regulation of water meters in an efficient and timely manner;

WHEREAS, there have been recent instances where Village Staff became aware of residents tampering with their water meter in an attempt to avoid or reduce the associated utility costs;

WHEREAS, the Village Board finds it necessary and proper pursuant to its Home Rule Powers to amend said Code, Chapter and Section to adopt regulations to prevent such tampering; and

WHEREAS, the Corporate Authorities of the Village of Bloomingdale are of the opinion that the aforementioned amendment to the Village's Code of Ordinances is in the best interest of the public safety, health and welfare of the residents of the Village of Bloomingdale.

NOW, THEREFORE, BE IT ORDAINED, in open meeting assembled, by the Village President and Board of Trustees of the Village of Bloomingdale, DuPage County, Illinois, pursuant to the Village's Home Rule Powers, as follows:

Section One - Recitals

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

Section Two – Amendment Title 9

Title 9 (Water And Sewer) Chapter 1 (General Water And Sewer Regulations; Rates and Charges) Section 13 (Prohibited Acts) shall be amended, as follows:

9-1-13: PROHIBITED ACTS:

- A. Resale of Water: No water shall be resold or distributed by the recipient thereof from the Village supply to any premises other than that for which application has been made and the meter installed, except in those cases of an emergency nature wherein the Director of Public Works, Building Commissioner or one of their designees has given his-specific approval to do so.

- B. Tampering With, Damage To System: It shall be unlawful for any person to tamper with, alter, cover, uncover, bury, obstruct or injure any part or appurtenance of the Village waterworks and sewerage system including, but not limited to, mains, valves, b-boxes, meters, equipment and facilities, unless specific authority to do so has been given by the Director of Public Works or Building Commissioner. The following actions may cause shut-off of the village water supply to any dwelling unit, building, structure, or premises in addition to penalties provided for in section 9-1-14:
 - 1. Tampering with a village water meter installation.
 - 2. Installation of water supply piping creating an un-authorized by-pass of a village water meter, not approved by the Building Commissioner or a designee.
 - 3. Removal of a village water meter.
 - 4. Tampering with a village MXU device or other type of village water meter appurtenance.
 - 5. Installation of water supply piping causing a cross-connection of the village water supply.

6. Any water supply piping, device, or fixture installation or condition within a dwelling unit, building, structure, or premises that presents potential health hazard to the village water supply as determined by the Public Works Director or Building Commissioner or one of their designees.
7. Refusal to allow access onto private property to inspect and assess village water works and sewerage systems including, but not limited to, mains, valves, b-boxes, meters, water service piping, equipment, fixtures, and facilities.
8. Delinquency in payment of outstanding water or sewer service fees or charges.
9. Locating or relocating water meter in an unserviceable location

C. Turning On Service Without Authority: It shall be unlawful for any person, other than the Director of Public Works, Building Commissioner or a one of their designees, to turn on water and/or connect any dwelling unit, building, structure, or premises to a sanitary sewer unless and until notification from the Village Finance Director- Treasurer, Building Commissioner or a designee has been received that the application provided in this chapter has been received and approved and until all required fees and charges have been paid and required security deposits have been made.

Section Three – Codification

The title, chapter(s) and section(s) adopted by this Ordinance shall be numbered and placed in an appropriate title, chapter(s), and sections(s) sections when and during the codification of the Bloomingdale Municipal Code.

Section Four – Home Rule Preemption

This Ordinance represents an exercise of the home rule powers conferred upon the Village of Bloomingdale by the Constitution of the State of Illinois. This Ordinance is specifically intended to preempt state law pertaining to the extent permitted under the Constitution of the State of Illinois.

Section Five – Effective Date:

This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Section Six - Publication

This Ordinance shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Seven - Conflict Clause

That all ordinances or parts of ordinances in conflict with the terms of this Ordinance shall be repealed to the extent of said conflict.

Section Eight – Saving Clause

If any section, paragraph, clause or provision of this Ordinance is declared by a court of law to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity of the remaining provisions of the Village's Municipal Code, which are hereby declared to be separable.

Section Nine - Recording

This Ordinance shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Bloomingdale.

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DECIDED pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Vince Ackerman	X			
William Belmonte			X	
Bill Bolen	X			
Frank Bucaro			X	
Patrick Shannon	X			
Judi Von Huben	X			
Franco A. Coladipietro (only if necessary)				
TOTAL	4	0	2	

PASSED AND APPROVED by the Village of Bloomingdale Board of Trustees on the 11th day of January 2021.



Franco A. Coladipietro
Village President

ATTEST:



Jane E. Michelotti
Village Clerk