

ORDINANCE NO. 0-14-33

AN ORDINANCE AMENDING SECTION 74-4, PRIVATE WELLS PROHIBITED, OF THE MUNICIPAL CODE OF HANOVER PARK, BY PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD

WHEREAS, the Village of Hanover Park is a home rule unit of government by virtue of the provision of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village, as a home rule unit, may exercise power and perform any function pertaining to its government and affairs, including, but not limited to, the power to legislate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, certain properties in the Village of Hanover Park, Illinois have been used over a period of time for commercial/industrial purposes; and

WHEREAS, because of said use, concentrations of certain chemical constituents in the groundwater beneath the Village may exceed Class I groundwater quality standards for potable resource groundwater as set forth in 35 Illinois Administrative Code 620 or Tier I remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the Village of Hanover Park desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productive use of properties that are the source of said chemical constituents; now, therefore,

BE IT ORDAINED by the President and Board of trustees of the Village of Hanover Park, Cook and DuPage Counties, Illinois, as follows:

SECTION 1: That Section 74-4 of Chapter 74 of the Municipal Code of Hanover Park, as amended, is amended to read as follows:

Sec. 74-4. Private wells prohibited.

The construction of new private wells and water supply systems shall not be permitted in the village. All buildings using private wells and water systems which subsequently connect to the village water supply shall, prior to connection to the village water supply, disconnect any interconnect between the service lines containing village water and water lines which could contain well water. In addition, prior to connection to the village water system, a double-check backflow preventer shall be installed on the new village water service line and backflow preventers on all well water outlets, including hose connections, in compliance with the ordinances of the village.

Prior to August 15, 1990, for all existing wells or at the time of connection and every 12 months thereafter, the backflow preventers shall be inspected and certified that they are in compliance with the ordinances of the village and the well water tested showing it is potable. The certification and well water analysis shall be filed with the

community development department; and upon receipt, the well and service lines shall be inspected by the village for compliance with all ordinances and regulations. Failure to file the certification or well water analysis showing the well water not potable shall require the well to be sealed within 21 days after written notice from the Village.

Notwithstanding any other provision of this Section, except for such uses or methods in existence before the effective date of this amendment, the use or attempt to use as a potable water supply, groundwater from the restricted area within the corporate limits of the Village of Hanover Park, as a potable water supply, by the installation or drilling of wells or by any other method is hereby prohibited. This prohibition expressly includes the Village of Hanover Park. This prohibition contained in this paragraph shall be applicable to the geographic area depicted on the attached map (Exhibit A). A narrative description of the geographic area where use of groundwater as a potable water supply shall be prohibited under this paragraph is as follows:

Beginning at the point where the Village of Hanover Park corporate limits reach their northernmost extent along Francis Road then east parallel with the Village of Hanover Park corporate boundary to a point at the eastern edge of Barrington Road then south along the eastern edge of Barrington Road to its intersection with Tanglewood Avenue then west along the northern edge of Tanglewood Avenue to its intersection with Briarwood Street then north along the eastern edge of Briarwood Street to its intersection with Briarwood Avenue, then west along the northern edge of Briarwood Avenue to a point resulting from the projection of the Village of Hanover Park corporate boundary along Francis Rd south to the north edge of Briarwood Avenue.

SECTION 2: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner and form required by law.

SECTION 3: That the Village Clerk be and is hereby directed to publish this ordinance in pamphlet form.

SECTION 4: Any person, firm, or corporation violating any provision of this ordinance shall be fined not less than one hundred (\$100.00) dollars nor more than seven hundred fifty (\$750.00) dollars, and each day a violation continues shall be considered a separate violation.

ADOPTED this 2nd day of October, 2014, pursuant to a roll call

vote as follows:

AYES: Kunkel, Cannon, Roberts, Konstanzer, Zimel

NAYS: None

ABSENT: None

ABSTENTION: None

APPROVED by me this 2nd day of October, 2014

Rodney S. Craig, Village President

ATTESTED, filed in my office, and
published in pamphlet form this
Day 8th of October, 2014

Eira Corral, Village Clerk