

ORDINANCE NO. MC- 1029

AN ORDINANCE AMENDING CHAPTER 110 OF THE HOMEWOOD MUNICIPAL CODE AUTHORIZING INSPECTION OF SEWER SYSTEMS LOCATED ON PRIVATE PROPERTY AND AUTHORIZING SUSPENSION OF SEWER AND WATER SERVICE TO PROPERTIES WITH AN ILLEGAL CONNECTION TO THE SANITARY SEWER SYSTEM

WHEREAS, Section 11-139-8 of the Illinois Municipal Code (65 ILCS 5/11-139-8) authorizes municipalities to enact rules and regulations concerning management of a combined waterworks and sewerage system; and

WHEREAS, discharging storm water into a sanitary sewer may overwhelm the sanitary sewer system, resulting in flooded basements and release of polluted rainwater into local waterways.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, as follows:

SECTION ONE - AMENDMENT TO THE HOMEWOOD MUNICIPAL CODE:

A. Chapter 110 "Utilities" of the Homewood Municipal Code, Section 110-68, "Powers and authority of inspectors" is amended by the addition of subparagraph (f) as follows:

(f) The director of public works and other duly authorized employees of the village, or authorized employees of other governmental bodies may enter upon private property for the purpose of inspection, observation, measurement, sampling, and testing provided that permission to enter has been given by the property owner or occupant. Where no consent has been given to enter or inspect upon private property, no entry or inspection shall be made without the procurement of a warrant from the Circuit Court of Cook County. That Court may consider any of the following factors, along with such other matters as it deems pertinent, in determining whether a warrant shall issue:

- (1) Eyewitness account of violations.
- (2) Citizen complaints.
- (3) Tenant complaints.
- (4) Plain view violations.
- (5) Violations apparent from village records.

- (6) Age and nature of property.
- (7) Similar properties in the area.
- (8) Documented violations of similar properties.
- (9) Previous violations.
- (10) Tests.
- (11) Passage of time.

Cause for issuance of a warrant shall be deemed to exist in light of reasonable legislative and administrative standards showing that there is reason to believe that a condition of nonconformity exists with respect to a particular property in violation of any provisions of this chapter.

B. Section 110-70 of the Homewood Municipal Code is amended by addition of the following underlined language:

Sec. 110-70. Penalty for violation of article.

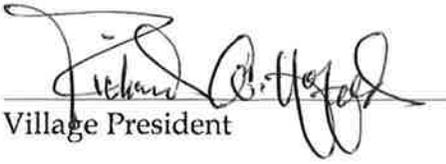
(a) The village may revoke any permit for sewage disposal as a result of any violation of any provision of this article. Upon violation of this article, the village may initiate prosecution immediately, or it may elect to serve the violator with written notice stating the nature of the violation and setting a reasonable time limit for the satisfactory correction thereof. Even though the village may elect to give such notice, the village may determine at any time that the violator is not acting to correct the situation and may initiate prosecution. Any person who shall violate any provision of this article shall, on conviction, be fined in an amount not less than \$50.00 and not exceeding \$750.00 for each violation.

(b) The village may, after written notice to the property owner and an opportunity to be heard, discontinue sanitary sewer and water service to any property containing an illegal source of storm water into the sanitary sewer system or which violates Sections 110-150 or 110-154 of this chapter.

SECTION TWO - EFFECTIVE DATE:

This ordinance shall be in full force and effect from and after its passage, approval, and publication in accordance with law.

PASSED and APPROVED this 25th day of November, 2019.


Village President

ATTEST:


Village Clerk

Ayes: 6

Nays: 0

Abstain: —

Absent: —