

ORDINANCE No. 2018- 02

**AN ORDINANCE PROVIDING FOR THE REGULATION
OF CONNECTIONS TO VILLAGE DRAINAGE SYSTEM**

Wherefore, within the village limits of the Village of Mansfield are certain drains that drain rainwater, with the Village maintaining these said drains.

Wherefore, the Village incurs costs in maintaining these drains.

Wherefore, the Village Board of Trustees find that residents are connecting to these Village drains without the express consent of the Village and putting additional pressure upon these drains.

Wherefore, pursuant to 65 ILCS 5/11-109-1, the corporate authorities of each municipality may construct, repair, and regulate the use of drains.

Wherefore, the Village Board of Trustees deem it is in the best interest of the Village of Mansfield to impose a permit scheme by which persons desiring to connect to the Village drain tile system must pay a fee and submit a permit prior to connection to the Village drain tile system.

THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MANSFIELD:

Section One- Permit Required

All persons with property located within the Village of Mansfield seeking to connect their property to the Village drainage tile system including a catch basin, must have a an approved permit before making such connection and pay a \$25.00 non refundable permit fee.

Section Two- Connection Fee

There shall be a \$600.00 connection fee submitted with the permit application. If the permit is denied, the connection fee shall be refunded to the applicant.

Section Three- Supervisor of the Village Of Mansfield Public Works Department

Permit applications shall be reviewed, and approved or denied or modified by the Supervisor of the Village of Mansfield Public Works Department.

Section Four-Sleeve or Collar required

All connections in the Village drainage tile system must use a sleeve or a collar approved by the Village.

Section Five- Water Sampling Required; Payment of Water Sampling

All connections must contain an inspection port located at an easily accessible location at ground level in order to allow for yearly water sampling. All persons granted a permit under this ordinance expressly consents to yearly water sampling by the Village and/or the Village contractors.. All persons that connect to the Village drainage tile system shall pay an annual test fee for this sampling, with said test fee payable by February 1 of each calendar year. The annual water sampling fee shall be included in the property owner's water coupon book. Failure to pay the annual water sampling fee shall subject the property owner to the water shut off provisions pursuant to the Village Water Code.

Section Six- Streets and Sidewalks; Underground Boring required

No property owner shall break or cut any Village street or sidewalk when connecting to the Village drainage tile system. Underground boring shall be required if a street or sidewalk must be crossed in order to make a connection. The underground boring shall be done at the property owner's expense. The property owner shall be liable to the Village for any damage done to any street or sidewalk due to underground boring.

Section Seven-Waiver of Liability

All property owners granted a permit under this ordinance expressly waive, and hereby hold the Village harmless for any and all claims and damages occurring in the past, present or future, that said property owners may have against the Village, regardless of the fault of the Village, arising from the condition, or performance, of the Village drainage tile system.

Section Eight- Permit Application

The Supervisor of the Village of Mansfield Public Works Department shall be responsible for creating a permit application that conforms with the intent of this ordinance. Said applications shall be available at the office of the Village Clerk.

Section Nine-All Work Done in Conformance with Applicable Law

Any person desiring to connect to the Village drainage tile system shall use licensed contractors to perform the connection. All connections must be done in accordance with applicable federal, state, county and local law and comply with any existing federal, state, county, and local permitting process.

Section Ten- Appeal to Village Board

If the Supervisor of the Village of Mansfield Public Works Department denies an application for a permit, the aggrieved property owner may appeal the Supervisor's decision to the Village Board by timely placing the issue of the denial upon the agenda for the next regularly scheduled Village Board Meeting.

Section Eleven-Publication

That this ordinance shall be published in pamphlet form and shall be published once in a newspaper in general circulation within the Village of Mansfield within 30 days of passage pursuant to 65 ILCS 5/1-2-4.

Section Twelve- Effective Immediately

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

YAYS: 6

NAYS: 0

ABSENT: 0

PASSED and APPROVED this 2nd day of April, 2018.



ANDREW STIGER, PRESIDENT
VILLAGE OF MANSFIELD

ATTEST:



MELISSA PLACE, CLERK
VILLAGE OF MANSFIELD

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