

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

_____ Resolution or Ordinance (Blue) _____ Waiver of First Requested
 X Recommendations of Boards, Commissions & Committees (Green)
_____ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES
FROM: Scott R. Niehaus, Village Manager
DATE: April 17, 2015 (COW) (B of T) **Date:** May 7, 2015
TITLE: Frozen Water Service Lines Ordinance
SUBMITTED BY: David P. Gorman, PE, Assistant Director of Public Works *DPG*

BACKGROUND/POLICY IMPLICATIONS:

A recommendation from the Public Works Committee to amend Village Code Section 51 regarding assistance to be provided to unfreeze water service lines.

FISCAL IMPACT/FUNDING SOURCE:

Review (as necessary):
Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

THROUGH: Carl S. Goldsmith, Director of Public Works *g*

FROM: David P. Gorman, Asst. Director of Public Works *DPG*

SUBJECT: **Proposed Amendment for Frozen Water Service Lines**

DATE: April 17, 2015

Attached is a proposed Village Code amendment to establish the Village's role in assisting with frozen water service lines. This amendment has been reviewed and recommended by the Public Works Committee.

Background:

The polar vortex of 2013-2014 caused 42 water services to freeze in the public right-of-way. Approximately half of these required digging to expose the b-box valve in the parkway in order to restore flow by steaming. In addition, a few refroze due to the customer not sustaining an adequate trickle. An additional dozen investigations had found that the freeze was on private property and, thus, did not warrant work by Village personnel. Although the deep frost experienced during that winter was rare, it is common to have a few frozen services each winter. Following winter, these water services are then lowered as is possible to help prevent refreezing in future winters.

This past winter has not been nearly as harsh as the prior one when 21 properties had informed the Village of a frozen service line. In the past winter, none were frozen between the water main and the b-box so no parkway digs were necessary to thaw the public side. Therefore, no credit would have been provided, as per the proposed amendment. Even so, Staff would like to proceed with the amendment to codify the policy prior to future occurrences.

Although many municipal governments take a hands-off policy regarding frozen water services, Lombard's Public Works Department has made a practice of assisting property owners when the public side of the service is frozen, including temporarily connecting hoses to neighboring houses (with permission) and crediting the neighbors for the difference in their water bill. This is the level of service that Staff would like to continue to provide.

Proposal:

The existing Village Code does not address the role of the Village or the water customer. Therefore, the Public Works Chapter of the Village Code is proposed to be amended by adding the following new subsection:

Section 51.26 “Frozen Water Service Lines”

Upon the request of a water customer, the Village’s Director of Public Works, or his/her designee, shall allocate available Village personnel and resources to thaw a frozen water service line. If Village personnel determine that the water service line is frozen on private property, said Village personnel shall so advise the water customer, and take no further action. If Village personnel determine that the water service line is frozen in the public right-of-way, then the Village personnel shall attempt to thaw the service line from the inside of the building, to which the water service line is connected, toward the water main, with the permission of the water customer. The Village may require that the water meter be replaced by the current type at that time. If the Village personnel are unable to thaw the water service line from the inside of the building, and it is deemed necessary by the Village personnel, the Village personnel may dig in the public right-of-way, but not on private property, to attempt to thaw the water service line. Upon the thawing of the water service line, it shall be the water customer’s responsibility to keep the water running inside the building, so as to prevent the water service line from re-freezing. The Village shall credit the water customer ten dollars (\$10.00) per day for the increased water consumption, from the thawing of the water service line until March 15th (the “Credit”). Thereafter, any subsequent action by the Village to thaw the water service line during the same Winter season will only be undertaken by the Village after the water customer has agreed, in writing, to incur a five hundred dollar (\$500) per water service line thawing occurrence fee (the “Thawing Occurrence Fee”), which will be added to the water customer’s water bill, and to refund any previous Credit provided to the water customer that same Winter season, with said refunded Credit amount to also be added to the water customer’s water bill. Notwithstanding the foregoing, the Credit shall begin to accrue anew for the water customer following the subsequent thawing of the water service line by the Village, provided the Thawing Occurrence Fee and the refund of the previous Credit have been added to the water customer’s water bill.

The amount of \$500 is based on the cost to perform a subsequent dig and steaming with a crew working in previously excavated soil.

Recommendation:

Staff and the Public Works Committee recommend that the Board of Trustees vote to approve the proposed Code amendment.

CG/DG:dg Frozen Water Services - BOT Memo
attachment: proposed ordinance
cc: Tim Sexton, Director of Finance
 Jamie Cunningham, Asst. Director of Finance
 Brian Jack, Utilities Superintendent

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 5, CHAPTER 51 OF
THE LOMBARD VILLAGE CODE IN REGARD TO FROZEN WATER SERVICE LINES

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: That Title 5, Chapter 51 of the Lombard Village Code is amended to insert a new subsection 51.26 as follows:

Section 51.26 “Frozen Water Service Lines”

Upon the request of a water customer, the Village’s Director of Public Works, or his/her designee, shall allocate available Village personnel and resources to thaw a frozen water service line. If Village personnel determine that the water service line is frozen on private property, said Village personnel shall so advise the water customer, and take no further action. If Village personnel determine that the water service line is frozen in the public right-of-way, then the Village personnel shall attempt to thaw the service line from the inside of the building, to which the water service line is connected, toward the water main, with the permission of the water customer. The Village may require that the water meter be replaced by the current type at that time. If the Village personnel are unable to thaw the water service line from the inside of the building, and it is deemed necessary by the Village personnel, the Village personnel may dig in the public right-of-way, but not on private property, to attempt to thaw the water service line. Upon the thawing of the water service line, it shall be the water customer’s responsibility to keep the water running inside the building, so as to prevent the water service line from re-freezing. The Village shall credit the water customer ten dollars (\$10.00) per day for the increased water consumption, from the thawing of the water service line until March 15th (the “Credit”). Thereafter, any subsequent action by the Village to thaw the water service line during the same Winter season will only be undertaken by the Village after the water customer has agreed, in writing, to incur a five hundred dollar (\$500) per water service line thawing occurrence fee (the “Thawing Occurrence Fee”), which will be added to the water customer’s water bill, and to refund any previous Credit provided to the water customer that same Winter season, with said refunded Credit amount to also be added to the water customer’s water bill. Notwithstanding the foregoing, the Credit shall begin to accrue anew for the water customer following the subsequent thawing of the water service line by the Village, provided the Thawing Occurrence Fee and the refund of the previous Credit have been added to the water customer’s water bill.

SECTION 2: That this Ordinance shall be in full force and effect on from and after its adoption, approval and publication in pamphlet form as provided by law.

Passed on first reading this ____ day of _____, 2015.

First reading waived by action of the Board of Trustees this ____ day of _____, 2015.

Passed on second reading this ____ day of _____, 2015, pursuant to a roll call vote as follows:

AYES: _____

NAYS _____

ABSENT: _____

APPROVED by me this ____ day of _____, 2015.

Keith Giagnorio
Village President

ATTEST:

Sharon Kuderna
Village Clerk

Published by me in pamphlet form this ____ day of _____, 2015.

Sharon Kuderna
Village Clerk