

**ORDINANCE NO. 4468**

**AN ORDINANCE AMENDING TITLE 7, CHAPTER 5, SECTION 1.11  
OF THE EAST PEORIA CITY CODE TO ADOPT A POLICY OF  
FORGIVENESS FOR INTERNAL WATER LEAKS**

**WHEREAS**, the City of East Peoria has proposed an amendment to certain water regulations found at Title 7, Chapter 5 of the East Peoria City Code, which proposed amendments to Section 1.11 are hereinafter set forth; and

**WHEREAS**, the City Council has determined that in order to establish an equal and fair process for water leak adjustments, it is necessary to adopt a policy of forgiveness for internal water leaks for East Peoria city water consumers as hereinafter set forth; and

**WHEREAS**, the City Council further finds it is in the best interests of the City and its citizens and water consumers to adopt a policy of forgiveness for internal water leaks;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT:**

**Section 1.** Title 7, Chapter 5, Section 1.11 of the East Peoria City Code is hereby amended to read as follows (additions are indicated by underline, deletions by ~~strikeout~~):

**7-5-1.11. - Leaks and waste.**

(a)      It shall be the duty of all consumers of city water at all times to exercise due diligence to prevent waste of the water supply, and to this end shall stop all leaks on their premises. After prior written notice from the city, the ~~The~~ city water supply will be shut off from any premises until any violation of this section is corrected.

(b)      Effective December 1, 2019, the city shall adopt a policy of forgiveness for internal water leaks (see definition below) at a water service location, subject to the following rules:

(1)      Internal water leaks shall consist of plumbing failures within the heated interior portion of a structure. This does not include outdoor plumbing, such as exterior faucets, irrigation systems, pools, or any other plumbing outside the structure, or plumbing contained in an area of the structure which is not heated, except that leaks in service lines from the meter to the home will be included and will be eligible under the policy of forgiveness.

- (2) The forgiveness shall be applied only to a claimant once in a five (5) year period, commencing with the date of the first forgiveness.
- (3) Forgiveness will be considered only if the usage billed is greater than two (2) times the average usage over the previous twelve (12) months.
- (4) The owner of the service account (the individual to whom the bill is sent) must request the forgiveness by completing the "Water Forgiveness Request Form" and submitting it to the East Peoria Water Billing Office, 401 W. Washington Street, East Peoria IL 61611. The form must be completed and returned within sixty (60) days of billing date for the bill for which forgiveness is sought.
- (5) The request must be based upon an internal plumbing failure within the service location's water system, the nature of which is to be specified when requesting the forgiveness. Documentation will be required in the form of detailed receipts from certified plumbers; or in the event those repairs were made by the individual, receipts for any plumbing hardware or supplies purchased to make the repair. Photographs of the leak prior to and following repair may also be requested.
- (6) Water system failures must be repaired in a timely fashion, not to exceed thirty (30) days from discovery and prior to submission of the Water Forgiveness Request Form.
- (7) Forgiveness will be for the excess sewer charges as well as water usage in excess of two (2) times the previous twelve (12) months average usage, as calculated by city staff. The city will calculate the forgiveness amount on the usage of the bill first in question and in order to allow time for repairs to be made, also on the usage of the bill for the immediately following period.
- (8) Bill adjustments will not exceed One Thousand Dollars (\$1,000.00).
- (9) Forgiveness is allowed only for plumbing system failures, including leaks in service lines from the meter

to the home. There shall be no forgiveness for only water or only sewer when the excess usage is the result of any other cause.

**Section 2.** This Ordinance is hereby ordered to be published in pamphlet form by the East Peoria City Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

**Section 3.** This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

**Section 4.** This Ordinance shall be in full force and effect from and after its passage, approval and ten (10) day period of publication in the manner provided by law.

**PASSED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION THIS 19th DAY OF November, 2019.**

**APPROVED:**

/s/ John P. Kahl  
Mayor

**ATTEST:**

/s/ Morgan R. Cadwalader  
City Clerk

**EXAMINED AND APPROVED:**

/s/ Scott A. Brunton  
Corporation Counsel

**CITY OF EAST PEORIA**

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**ADOPTED BY THE  
CITY COUNCIL  
OF THE  
CITY OF EAST PEORIA  
THE 19TH DAY OF NOVEMBER 2019**

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**Published in pamphlet form by authority of the City Council of the City of East  
Peoria, Tazewell County, Illinois, this 19th day of November, 2019.**

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**EFFECTIVE NOVEMBER 29, 2019**