

**THE CITY OF BERWYN**  
**COOK COUNTY, ILLINOIS**

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**ORDINANCE**  
**NUMBER**

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**AN ORDINANCE UPDATING SUBSTANTIAL CONSTRUCTION AND  
AMENDING CHAPTER 1042 OF THE WATER AND SEWER  
CONNECTIONS AND USE CODE OF THE CODIFIED ORDINANCES OF  
THE CITY OF BERWYN**

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**AN ORDINANCE UPDATING SUBSTANTIAL CONSTRUCTION AND AMENDING  
CHAPTER 1042 OF THE WATER AND SEWER CONNECTIONS AND USE CODE OF  
THE CODIFIED ORDINANCES OF THE CITY OF BERWYN**

**WHEREAS**, the City of Berwyn, Cook County, Illinois (the “*City*”) is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the “*Home Rule Powers*”); and

**WHEREAS**, the Mayor and the City Council of the City of Berwyn (the “*Corporate Authorities*”) has adopted a Water and Sewer Connections and Use Code, which has been amended from time to time; and

**WHEREAS**, the Corporate Authorities have further decided that there are numerous sewer and water connections and piping systems throughout the City that do not adhere to applicable City requirements, state law and federal laws and further, said sewer and water connections and piping systems shall be required to be improved or upgraded if the underlying property is to undergo modifications which equals or exceeds 50% of the current market value or assessed value, whichever is less; and

**WHEREAS**, the Corporate Authorities determine that it is in the best interests of the welfare and safety of the residents of the City to amend the Codified Ordinances as set forth below.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Berwyn, Cook County, Illinois, by and through its Home Rule Powers, as follows:

**Section 1:** That the above recitals and legislative findings are incorporated herein and made a part hereof, as if fully set forth in their entirety.

**Section 2:** Chapter 1042, Water and Sewer Connections and Use is hereby amended to read as follows (with proposed additions underlined and proposed deletions ~~stricken~~):

1042.03 SPECIFICATIONS FOR LAYING PIPE.

**The code compliant approach shall be to install combined building water service capable of meeting the larger of the domestic or fire suppression system flow requirements, following the rationale that the domestic service and fire service supplies will not be flowing at design capacity at the same time.**

- (A) The connection from the main to the service cock shall be placed at least five feet below the level of the ground. The copper pipe shall be laid sufficiently waving so that it is at least one foot longer than if laid straight, and placed in a manner as to prevent rupture or breakage from settling of the ground.
- (B) The service shall be Type K copper, minimum one inch.
- (C) All copper pipes and all connections shall have wiped joints.
- (D) A stopcock, to be known as the service cock, shall be inserted in each connection at a convenient point in the street, alley, public ground or place through which the connection passes, and whenever there are curb lines established, the service cock shall be placed not less than one foot or more than three feet inside of the curb line with the cast iron stop box to grade. In all cases, the service cock shall be located under the direction of the Director of Public Works, and a record of the exact location thereof shall be kept.
- (E) There shall be a stop and waste cock attached to every supply pipe at the point where it enters a building in a manner as to permit the water to be shut off in cold or freezing weather and the pipes to be emptied. **The separate shut off for the domestic line is required and must be accessible from the outside of the building by the City.**

1042.04 OVERHEAD PLUMBING

All ~~new~~ buildings with basements, floors, rooms or occupancy areas below ground level at the building site, and served by a public or private sewer system, **undergoing substantial improvement as described in this Code,** shall have overhead plumbing, **a backwater valve system on the exterior service line or another form of flood mitigation as approved by plumbing and local code.**

~~1042.08 SEPARATE WATER PIPES FOR FIRE PROTECTION.~~

~~Water pipes entering premises and used for fire protection only and connected with automatic sprinkler devices shall be supplied from a separate pipe having an independent connection to the main and provided with an outside controlling valve and a meter of a type, design and size to be approved by the Director of Buildings, all at the expense of the person using the same, so constructed as to permit, in case of necessity, an uninterrupted flow of water.~~

## 1042.25 DEVELOPMENT IN FLOODPLAIN AREAS

**SUBSTANTIAL IMPROVEMENT.** Any reconstruction, rehabilitation, addition, or improvement of a structure, the cost of which equals or exceeds 50% of the current market value or assessed value, whichever is less, of the structure before the improvement or repair is started,

**SUBSTANTIAL IMPROVEMENT** is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. ~~The term does not, however, include either (1) sanitary, or safety code specifications which are solely necessary to assure safe living conditions or (2) any alteration of a structure listed on the National Register of Historic Places or the Illinois register of Historic Places.~~

**Section 3.** All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 4.** This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

**Adopted** by the Mayor and City Council of the City of Berwyn, Cook County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2020, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Lennon				
Ramirez				
Reardon				
Fejt				
Santoy				
Ruiz				
Avila				
Nowak				
(Mayor Lovero)				
<b>TOTAL</b>				

**Approved** by the Mayor of the City of Berwyn, Cook County, Illinois on this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
 Robert J. Lovero  
 MAYOR

ATTEST:

\_\_\_\_\_  
 Margaret Paul  
 CITY CLERK