
ORDINANCE NO. 2019-20-04
An Ordinance Amending Chapter 12, Nuisance of the Johnsborg Municipal Code,
adding Section 12.11 Stormwater

AN ORDINANCE PASSED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG
AT A REGULAR MEETING ON MAY 21, 2019
PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG

President

Edwin P. Hettermann

Board of Trustees

Tom Curry
Beth Foreman
Kyle Frost
Josh Hagen
Greg Klemstein
Kevin McEvoy

Village Administrator

Claudett E. Peters

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

SECTION 1: That Chapter 12, Nuisances be amended to add Section 12.11 entitled Stormwater as follows:

12.11 STORM WATER. Connections to storm sewers, the discharge of unpolluted cooling waters or unpolluted process waters and source waters, which continue to produce water after a storm event may only be done if permitted by the Village. Storm water and all other unpolluted drainage shall be discharged in accordance with the following:

- A. **Connection.** Every foundation drain shall be connected to an approved sump pit containing an approved sump pump pursuant to the regulations set forth in the plumbing regulations of the State of Illinois, and as specified elsewhere in the Village of Johnsburg Municipal and Zoning Code.
- B. **Installation.** Sump pumps are to be installed only for the purpose of discharging clear water from foundation drains and ground infiltration. Sump pumps shall discharge into either an approved underground conduit leading to a drainage easement established for the benefit of such property, or onto the ground of the property owner in accordance with applicable codes. At no time shall the sump pump directly discharge onto the adjacent property or public right-of-way. The place of discharge shall be determined at the point where the water is discharged upon the ground from hoses, pipes and other conduits conveying water from the sump pump. The discharge pipe from an approved sump pump shall include an air gap before connecting to any buried conduits.
- C. **Violation.** No water shall be discharged from a sump pump into or upon any public road or walkway, nor shall the discharge create a situation causing weakness, destabilization or damage to any public road or to property, or create ponds of standing or stagnant water, or water flows onto adjoining properties in the absence of a legal right to do so. Such circumstances are deemed to be a nuisance. Rain gardens specifically designed to promote groundwater infiltration are allowed and shall be sized to accept discharge water accordingly.
- D. **Corrective action.** If such nuisance condition exists or is created, the village administrator or designee shall require the owner of the property allowing or causing the discharge of water as set forth in paragraph C herein, to install an underground lateral or surface discharge connection, which shall cause the water from the sump pump to be discharged in such a manner as not to interfere with the use of public right-of-way or property of adjacent property owners. Sewer laterals specifically designed for storm water or other sources of clear water shall be the property owners' to maintain and shall be

approved by the Village prior to connection to the Village's Storm Sewer System.

- E. Penalties. In addition to all other remedies, any person who violates, disobeys, omits, neglects or refuses to comply with any provision of this section shall be guilty of a Class C violation as prescribed in Chapter 1.07 – E. Each day the violation continues shall be considered a separate offense.

SECTION 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 3: All ordinances or parts of ordinances in conflict herewith 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 in pamphlet form (which publication is hereby authorized) as provided by law.

Voting Aye: Trustees McEvoy, Klemstein, Hagen, Curry and Frost

Voting Nay: None

Abstain: None

Absent: Trustee Foremann




Village Clerk Claudett E. Peters

APPROVED:


Village President Edwin P. Hettermann

Passed: May 21, 2019

Approved: May 21, 2019

Published: May 21, 2019

Prepared by:
Claudett Peters, Village Administrator
Village of Johnsburg
1515 Channel Beach Avenue
Johnsburg, IL 60051

CERTIFICATION

I, CLAUDETT E. PETERS, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Johnsburg, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Johnsburg.

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Johnsburg, held on the 21st day of May, 2019 the foregoing Ordinance entitled *An Ordinance Amending Chapter 12, Nuisances of the Johnsburg Municipal Code adding Section 12.11 Stormwater*, was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 2019-20-04 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the 21st day of May, 2019 and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the Village of Johnsburg, this 21st day of May, 2019.



Claudett E. Peters, Village Clerk
Village of Johnsburg,
McHenry County, Illinois

