

Municipality: Alsip

County: Cook

LPC Number:

OC: 00111501

ORDINANCE NO. 2000-11-2

AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A
POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF
POTABLE WATER SUPPLY WELLS OR OTHER METHODS.

WHEREAS, because of said use, concentrations of certain chemical constituents in the groundwater under the Village of Alsip may exceed Class I groundwater quality standards for potable resource groundwater as set forth in 35 Illinois Administrative Code 620 or Tier 1 residential remediation objectives as set forth in 35 Illinois Administrative Code 742; and

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ALSIP, COUNTY OF COOK AND STATE OF ILLINOIS:

Use of groundwater as a potable water supply is prohibited (except for such uses or methods in existence before the effective date of this ordinance). The use or attempt to use as a potable water supply groundwater from within the corporate limits of the Village of Alsip by the installation or drilling of wells or by any other method is hereby prohibited.

Penalties, any person violating the provisions of this ordinance shall be subject to a fine of up to \$500.00 for each violation.

Definitions, "Person" is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns.

SECTION FOUR

That if any section, paragraph, clause, phrase, or part of this ordinance is for any reason held invalid, such decision shall not affect the validity of the remaining provisions of this ordinance and the application of these provisions to any person or circumstances shall not be affected thereby.

SECTION FIVE

That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith.

SECTION SIX

That this Ordinance shall be in full force and affect from and after its passage and publication as provided by law.

Passed this 20th day of November, 2000, by the president and board of Trustees of the Village of Alsip, County of Cook and State of Illinois and the same was hereinafter duly filed in the office of the Village Clerk.

TRUSTEES VOTE

James Quinn Y

Carl Ceretto Y

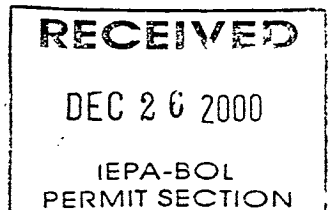
Joseph Jolivet A

Donald Castaldo Y

Frank Hiter Y

Jerome Marzec Y

Approved by me this 20th day
of November, 2000



A handwritten signature in cursive script, appearing to read "Arnold G. Gushka".

President, Village of Alsip
County of Cook and
State of Illinois.

A handwritten signature in cursive script, appearing to read "Denny M. [unclear]".

Village Clerk


4. That this Resolution or parts of Resolutions in conflict with the provision of this Resolution are hereby repealed insofar as they conflict herewith.

ADOPTED this 4 day of Dec, 2000.

ROLL CALL:

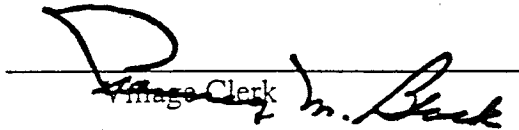
AYES: 5 NAYS: 0 ABSENT: 1

APPROVED:



PRESIDENT, Village of Alsip
County of Cook and State of Illinois

DEPOSITED with the Village Clerk
this 4th day of December, 2000.



Village Clerk


STATE OF ILLINOIS)
)
COUNTY OF COOK)

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM THE DULY QUALIFIED AND ACTING CLERK OF THE VILLAGE OF ALSIP, COUNTY OF COOK AND STATE OF ILLINOIS, AND AS SUCH CLERK I AM THE KEEPER OF THE RECORDS AND FILES OF THE MAYOR AND THE BOARD OF TRUSTEE'S OF SAID VILLAGE.

I DO FURTHER CERTIFY THAT THE ATTACHED AND FOREGOING IS A FULL, CORRECT AND TRUE COPY ON FILE IN ORIGINAL FORM IN MY OFFICE IN MY CARE AND CUSTODY.

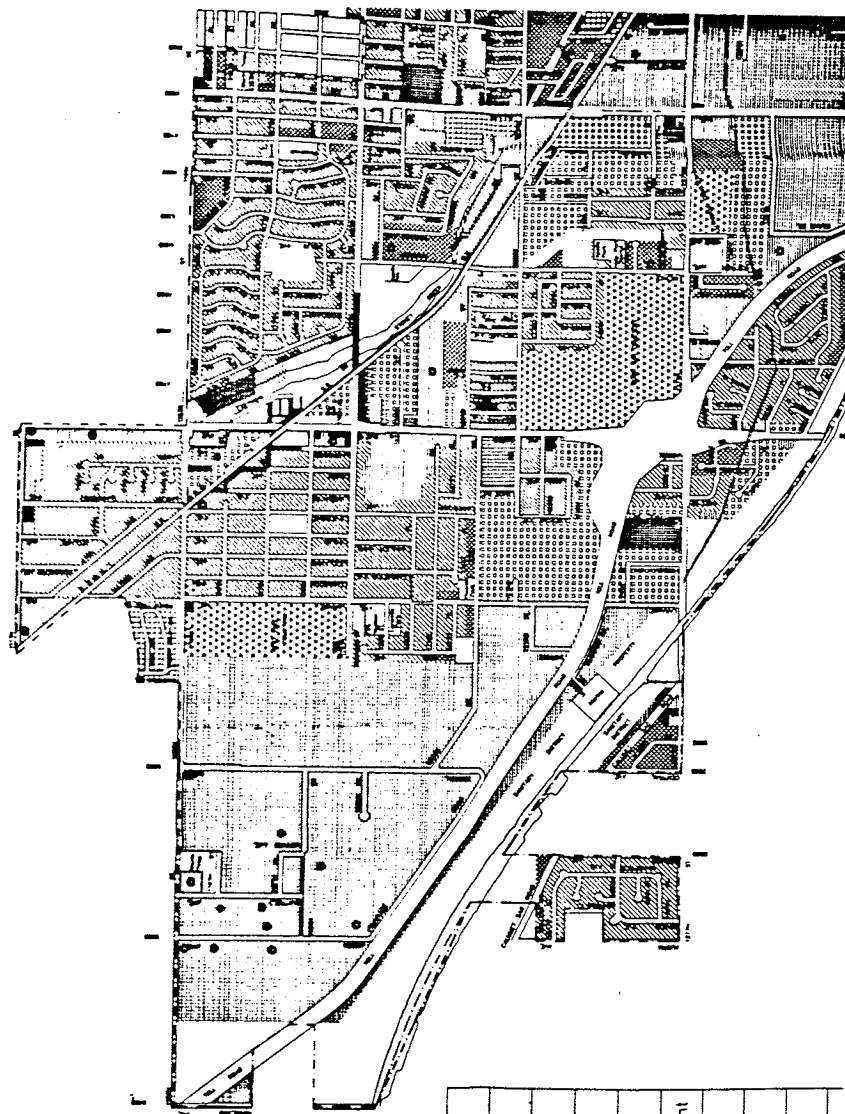
Resolution No. 2000-12-R-1, "Resolution Authorizing Memorandum of Understanding Between Village of Alsip and Illinois Environmental Protection Agency".

IN WITNESS WHEREOF, I HAVE HEREUNTO AFFIXED MY OFFICIAL SIGNATURE AND THE CORPORATE SEAL OF SAID VILLAGE OF ALSIP, COUNTY OF COOK AND STATE OF ILLINOIS, ON THE ^{4th} DAY OF December, 2000.



VILLAGE CLERK OF THE VILLAGE
OF ALSIP, COUNTY OF COOK AND
STATE OF ILLINOIS

Village of Alsip, Illinois



LEGEND

	R-1 Residential
	R-2 Residential
	R-3 Residential
	B-1 Business District
	B-2 Business Amusement
	B-3 Business Taverns
	I-1 Industrial-Light
	I-2 Industrial-Heavy

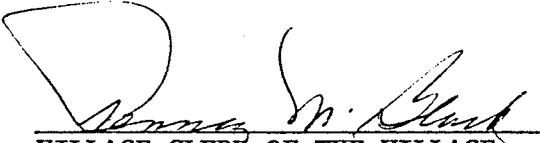
STATE OF ILLINOIS)
)
COUNTY OF COOK)

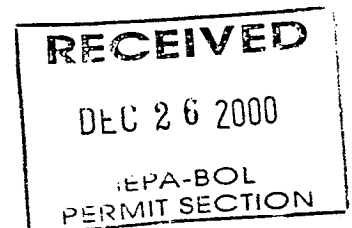
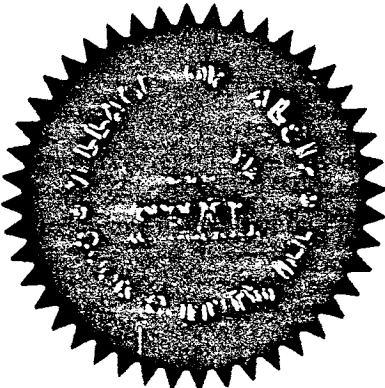
I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM THE DULY QUALIFIED AND ACTING CLERK OF THE VILLAGE OF ALSIP, COUNTY OF COOK AND STATE OF ILLINOIS, AND AS SUCH CLERK I AM THE KEEPER OF THE RECORDS AND FILES OF THE MAYOR AND THE BOARD OF TRUSTEE'S OF SAID VILLAGE.

I DO FURTHER CERTIFY THAT THE ATTACHED AND FOREGOING IS A FULL, CORRECT AND TRUE COPY ON FILE IN ORIGINAL FORM IN MY OFFICE IN MY CARE AND CUSTODY.

Ordinance No. 2000-11-2, "An Ordinance Prohibiting the Use of Groundwater as a Potable Water Supply by the Installation or Use of Potable Water Supply Wells or Other Methods".

IN WITNESS WHEREOF, I HAVE HEREUNTO AFFIXED MY OFFICIAL SIGNATURE AND THE CORPORATE SEAL OF SAID VILLAGE OF ALSIP, COUNTY OF COOK AND STATE OF ILLINOIS, ON THE 21st DAY OF December, 2000.


VILLAGE CLERK OF THE VILLAGE
OF ALSIP, COUNTY OF COOK AND
STATE OF ILLINOIS



STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

00/4736

RESOLUTION No. 2000-12-R-

03100 3518-
Dan Henkelman
Property
S R/TECH

VILLAGE OF ALSIP

RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING
BETWEEN VILLAGE OF ALSIP and ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

WHEREAS, the Village of Alsip, Illinois desires to satisfy the requirements of 35 Ill. Adm. Code 742. 1015 for the use of groundwater or water well ordinances as environmental institutional controls; and

WHEREAS, the Illinois Environmental Protection Agency has submitted a Memorandum of Understanding to regulate the installation and use of new potable water supply wells; and

WHEREAS, the Committee has examined and discussed the Memorandum and deem it fair and reasonable and recommend the acceptance of said Memorandum.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF ALSIP, ILLINOIS as follows:

1. That the Memorandum of Understanding between the Village of Alsip and Illinois Environmental Protection Agency to regulate the installation and use of new potable water supply wells is hereby accepted.
2. That the President and Clerk are authorized to sign said Memorandum and any other documents necessary for the effectuation of this Resolution.
3. That this Resolution shall be in full force and effect from and after its adoption as provided by law.

RECEIVED

DEC 0 7 2000

IEPA/BOL

MEMORANDUM OF UNDERSTANDING BETWEEN THE VILLAGE OF ALSIP
AND THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY REGARDING
USE OF A LOCAL GROUNDWATER OR WATER WELL ORDINANCE AS AN
ENVIRONMENTAL INSTITUTIONAL CONTROL

I. PURPOSE AND INTENT

- A. This Memorandum of Understanding ("MOU") between the Village of Alsip and the Illinois Environmental Protection Agency ("Illinois EPA") is entered into for the purpose of satisfying the requirements of 35 Ill. Adm. Code 742.1015 for the use of groundwater or water well ordinances as environmental institutional controls. The Illinois EPA has reviewed the groundwater or water well ordinance of the Village of Alsip (Attachment A) and determined that the ordinance prohibits the use of groundwater for potable purposes and/or the installation and use of new potable water supply wells by private entities but does not expressly prohibit those activities by the unit of local government itself. In such cases, 35 Ill. Adm. Code 742.1015 (a) provides that the unit of local government may enter into an MOU with the Illinois EPA to allow the use of the ordinance as an institutional control.
- B. The intent of this Memorandum of Understanding is to specify the responsibilities that must be assumed by the unit of local government to satisfy the requirements for MOUs as set forth at 35 Ill. Adm. Code 742.1015 (i).

II. DECLARATIONS AND ASSUMPTION OF RESPONSIBILITY

In order to ensure the long term integrity of the groundwater or water well ordinance as an environmental institutional control and that risk to human health and the environment from contamination left in place in reliance on the groundwater or water well ordinance is effectively managed Village of Alsip hereby assumes the following responsibilities pursuant to 35 Ill. Adm. Code 742.1015 (d) and (i):

- A. Village of Alsip will notify the Illinois EPA Bureau of Land of any proposed ordinance changes or requests for variance at least 30 days prior to the date the local government is scheduled to take action on the proposed change or request (35 Ill. Adm. Code 742.1015 (i) (4));
- B. Village of Alsip will maintain a registry of all sites within its corporate limits that have received "No Further Remediation" determinations from the Illinois EPA (35 Ill. Adm. Code 742.1015 (i) (5)); provided the Illinois EPA provides said information.
- C. Village of Alsip will review the registry of sites established under paragraph II. B, prior to siting public potable water supply wells within the area covered by the ordinance (35 Ill. Adm. Code 742.1015 (i) (6) (A));

- D. Village of Alsip will determine whether the potential source of potable water has been or may be affected by contamination left in place at the sites tracked and reviewed under paragraphs II.B. and C. (35 Ill. Adm. Code 742.1015 (i) (6) (b)); and
- E. Village of Alsip will take action as necessary to ensure that the potential source of potable water is protected from contamination or treated before it is used as a potable water supply (35 Ill. Adm. Code 742.1015 (i) (6)).

NOTE: Notification under paragraph II.A. above or other communications concerning this MOU should be directed to:

Manager, Division of Remediation Management
Bureau of Land
Illinois Environmental Protection Agency
P.O.Box 19276
Springfield, Illinois 62794-9276

Village of Alsip, Illinois
4500 West 123rd Street
Alsip, Illinois 60803-2599

III. SUPPORTING DOCUMENTATION

The following documentation is required by 35 Ill. Adm. Code 742.1015 (i) and is attached to this MOU:

- A. Attachment A: A copy of the groundwater or water well ordinance certified by the city clerk or other official as the current, controlling law (35 Ill. Adm. Code 742.1015 (i) (3));
- B. Attachment B: Identification of the legal boundaries within which the ordinance is applicable (certification by city clerk or other official that the ordinance is applicable everywhere within the corporate limits; if ordinance is not applicable throughout the entire city or village, legal description and map of area showing sufficient detail to determine where ordinance is applicable) (35 Ill. Adm. Code 742.1015 (i) (2));
- C. Attachment C: A statement of the authority of the unit of local government to enter into the MOU (council resolution, code of ordinances, inherent powers of mayor or other official signing MOU—attach copies) (35 Ill. Adm. Code 742.1015 (i) (1)).

IN WITNESS WHEREOF, the lawful representatives of the parties have caused this MOU to be signed as follows:

FOR: VILLAGE OF ALSIP, ILLINOIS

BY: Arnold A. Goshorn
PRESIDENT, Village of Alsip,
County of Cook and State of Illinois

DATE: 1-3-01

FOR: ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

BY: Gary P. King

DATE: 1/9/01

