

CITY OF LE ROY  
COUNTY OF McLEAN, STATE OF ILLINOIS

ORDINANCE NO. 03-08-04-90

AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A  
PORTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF  
PORTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD

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ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS  
18<sup>TH</sup> DAY OF August, 2002

PRESENTED: August 18, 2003

PASSED: August 18, 2003

APPROVED: August 18, 2003

RECORDED: August 18, 2003

PUBLISHED: August 18, 2003

In Pamphlet Form

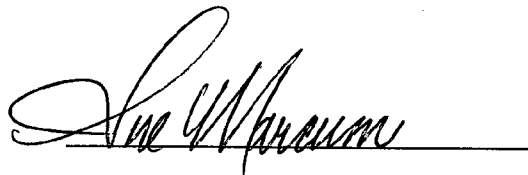
Voting "Aye" Six ( 8 )

Voting "Nay" Zero ( 0 )

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The undersigned being the duly qualified and Acting City Clerk of City of Le Roy  
does hereby certify that this document constitutes the publication in pamphlet form,  
in connection with a pursuant to Section 1-2-4 of the Illinois Municipal Code, of the  
above-captioned ordinance and that such ordinance was presented, passed,  
approved, recorded, and published as above stated.

(SEAL)



Sue W. Johnson

ORDINANCE NO. ~~03-08-04-90~~

**AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A PORTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF PORTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD**

WHEREAS, certain properties in the City of LeRoy, McLean County, Illinois have been used over a period of time for commercial/industrial purposes; and

WHEREAS, because of said use, concentrations of certain chemical constituents in the groundwater beneath the City 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

WHEREAS, the City of LeRoy desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productive use of properties that are the source of said chemical constituents;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of LeRoy, McLean County, Illinois:

Section One. Use of groundwater as a potable water supply prohibited.

The use or attempt to use as a potable water supply groundwater from within the corporate limits of the City of LeRoy in any area serviceable by City water by the installation or drilling of wells by connecting water supply from a well to a source of potable water or by any other method is hereby prohibited.

Section Two. Penalties.

Any person violating the provisions of this ordinance shall be subject to a fine of up to \$100.00 for each violation. A separate violation shall be deemed committed every day such groundwater is connected to a potable water supply.

Section Three. 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.

"Potable water" is any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes or preparing foods.

Section Four. Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed insofar as they are in conflict with this ordinance.

Section Five. Severability.

If any provision of this ordinance or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of the ordinance as a whole or of any portion not adjudged invalid.

Section Six. Effective date.

This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

ADOPTED: August 18, 2003  
(Date)

APPROVED: Robert Peir  
(Mayor)

ATTEST: Sue Marum  
(City Clerk)

Officially published in pamphlet form this 18 day of August, 2003.

**PASSED** by the City Council of the City of Le Roy, Illinois, upon the motion by Jerry Henson, seconded by Butch Cook, by roll call on the 18<sup>th</sup> day of August, 2003, as follows:

Council members elected 8

Council members present 8

**VOTING AYE:**

John Haney, Dave McClelland, Butch Cook, Jerry Henson, Chad Farischon,

Gary Koerner, Theresa O'Hare, Dawn Thompson

**VOTING NAY:**

None

**ABSENT, ABSTAIN, OTHER:**

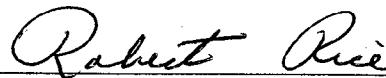
None

and deposited and filed in the Office of the City Clerk in said municipality on the 18<sup>th</sup> day of August, 2003



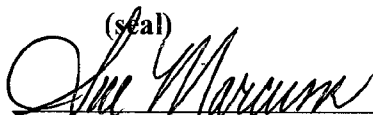
Sue Marcum, City Clerk of the  
City of Le Roy, McLean County, IL

**APPROVED BY** the Mayor of the City of Le Roy, Illinois, the 18<sup>th</sup> day of August, 2003



Robert Rice, Mayor of the  
City of Le Roy, McLean County, IL

**ATTEST:**

(seal)  


Sue Marcum, City Clerk of the  
City of Le Roy, McLean County, IL

City Clerk of the City of Le Roy, McLean  
County, Illinois Dated August 18, 2003.

STATE OF ILLINOIS        )  
  ) SS:  
COUNTY OF MCLEAN     )

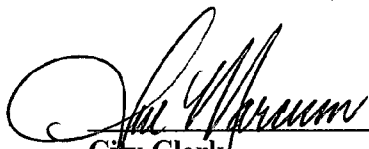
I, Sue Marcum, do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am keeper of the records and the files of the Mayor and the City Council of the said City.

I do further certify that the forgoing is true, correct and complete copy of an ordinance entitled:

**AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A PORTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF PORTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD**

I do further certify said ordinance was adopted by the City Council of the City of Le Roy at a regular meeting on the 18<sup>th</sup> day of August, 2003, and a faithful record of said ordinance has been made in the record books.

Dated this 18<sup>th</sup> day of August, 2003

  
\_\_\_\_\_  
City Clerk

(SEAL)

**CERTIFICATE**

I, Sue Marcum, certify that I am the duly appointed and acting municipal clerk of the City of Le Roy, of McLean County, Illinois.

I further certify that on August 18<sup>th</sup>, 2003, the Corporate Authorities of such municipality passed and approved Ordinance No. 03-08-04-90, entitled:

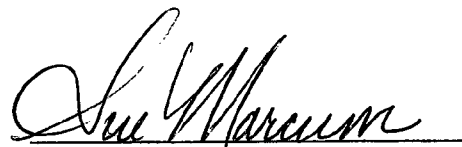
**AN ORDINANCE PROHIBITING THE USE OF GROUND WATER AS A PORTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF PROTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 03-08-04-90, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on August 18<sup>th</sup>, 2003, and continuing for at least ten days thereafter. Copies of such Ordinances were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois this 18th day of August, 2003.

(SEAL)

  
Municipal Clerk