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April 19, 2018

Jessica L. Kalal  
Mickey, Wilson, Weiler, Renzi & Andersson, P.C.  
140 S. Municipal Drive  
Sugar Grove, Illinois 60554

RE: IDPH Review of Plumbing Ordinance with Local Amendments – Village of Montgomery

Dear Ms. Kalal,

The Illinois Department of Public Health (“IDPH” or the “Department”) has received a certified copy of the Village of Montgomery’s (the “Village”) plumbing ordinance adopted on May 26, 2015, attached and referenced here. Pursuant to Sections 36 and 38 of the Illinois Plumbing License Law (the “Law”; 225 ILCS 320) and Section 750.800(b) of the Illinois Plumbing Licensing Code (the “Code”; 68 Ill. Adm. Code 750), units of local government should seek advisement for the adoption of a local plumbing ordinance.

As authorized by the Law and Code, the Department hereby approves the Village of Montgomery’s adoption of the amendments relative to the following sections of the Illinois Plumbing Code (“ILPC”; 77 Ill. Adm. Code 890):

- Section 890.1130 Protection of Potable Water
- Section 890.1150 Water Service Pipe Installation
- Section 890.1190 Water Supply Control Valves and Meter
- Section 890.1200 Water Service Sizing
- Section 890.Table A Approved Materials and Standards
  - Approved Materials for Building Sewer
  - Approved Materials for Water Service Pipe
  - Approved Materials for Water Distribution Pipe

The amendments shall be approved until five years after the date of the issuance of this letter or until the promulgation of subsequent revisions of the amended sections of the ILPC by the Department. The Department neither approves nor disapproves of administrative language added by the Village in these sections.

If you have any further questions concerning the Village’s adoption of amendments to the Illinois Plumbing Code, please contact the Plumbing and Water Quality program at (217) 524-0791 or at [dph.plumbing@illinois.gov](mailto:dph.plumbing@illinois.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "B. W. Cox".

Brian W. Cox, P.E.  
Manager, Plumbing and Water Quality Program

Village of Montgomery  
200 N. River St.  
Montgomery, IL 60538  
630-896-8080

STATE OF ILLINOIS )  
COUNTIES OF KANE AND KENDALL )  
VILLAGE OF MONTGOMERY )

I, Debra Buchanan, Deputy Village Clerk of the Village of Montgomery, Kane and Kendall Counties, Illinois, do hereby certify that the foregoing is a true and correct copy of

Ordinance 1668 – An Ordinance Adopting the Illinois State Plumbing Code with Amendments

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Approved on the 26<sup>th</sup> day of May, 2015 by the Village Board of the Village of Montgomery, Kane and Kendall Counties, Illinois, which is my duty to maintain. The original is now on file in my office.

I do further certify that I am the legal custodian of all papers, contracts, documents, bonds, and records of the Village of Montgomery.

WITNESS: My hand and the official seal of the Village of Montgomery this 29<sup>th</sup> day of May A.D., 2015.34



*Debra Buchanan*  
Debra Buchanan  
Deputy Village Clerk



**VILLAGE OF MONTGOMERY**

**ORDINANCE NO. 1668**

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**AN ORDINANCE ADOPTING THE ILLINOIS STATE PLUMBING CODE WITH AMENDMENTS  
VILLAGE OF MONTGOMERY  
KANE AND KENDALL COUNTIES, ILLINOIS**

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PASSED BY THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS  
THIS 20th DAY OF May, 2015.

PUBLISHED IN PAMPHLET FORM BY AUTHORITY  
OF THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES,  
ILLINOIS, THIS 27th DAY OF May, 2015.

**ORDINANCE NO. 1668**

**AN ORDINANCE ADOPTING THE ILLINOIS STATE PLUMBING CODE WITH AMENDMENTS  
VILLAGE OF MONTGOMERY  
KANE AND KENDALL COUNTIES, ILLINOIS**

**BE IT ORDAINED** by the Board of Trustees of the Village of Montgomery, Kane and Kendall Counties County, Illinois as follows:

**WHEREAS**, the Village of Montgomery is not a home rule municipality within Article VII, Section 6A of the 1970 Constitution of the State of Illinois and therefore pursuant to those powers granted to it under 65 ILCS 5/1-1 et seq., and pursuant to the authority granted in the Illinois Plumbing License Law (225 ILCS 320/36) and;

**WHEREAS**, Illinois law provides that governmental units may adopt a minimum code of standards pursuant to local ordinance that are at least as stringent as the minimum code of requirements set forth by the Illinois Department of Public Health ("the Department") as stated in the Illinois State Plumbing Code ("the Code"), or may by ordinance or resolution, adopt the minimum code of standards set forth by the Department; and

**WHEREAS**, in accordance thereto, the Village seeks to adopt the Illinois State Plumbing Code with amendments as set forth and described herein; and

**WHEREAS**, the Village has complied with all requirements set forth by the Department in adopting this Ordinance, and has obtained approval from the Department for same; and

**WHEREAS**, all hearings required to be held before agencies of the Village took place pursuant to proper legal notice including publication; and

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, as follows:

**SECTION ONE:**

Section 6-12 of the Village Ordinance is hereby amended to state the following:

"Sec. 6-12. - Illinois State Plumbing Code—Adoption.

- (a) The Illinois State Plumbing Code (77 Ill. Admin. Code 890), as promulgated by the Illinois Department of Public Health, and any subsequent amendments adopted by the Department thereto, is hereby adopted for the purpose of establishing rules and regulations for the materials, construction, alteration and inspection of all plumbing placed in or in connection with any building within the Village. The same is adopted in its entirety, save and except such portions as are hereinafter amended, and is, together with such amendments, incorporated as fully as if set out at length herein, and shall control in the installation and maintenance of plumbing systems within the Village. Said Plumbing Code, as modified and

amended, may be referred to for all purposes as the "Montgomery Plumbing Code" or the "Plumbing Code". At least one copy of said Code, including such amendments to it as shall hereinafter be enacted, shall be filed in the office of the Village Clerk, with additional copies available in the code enforcement department of the Village.

(b) Definitions. For the purposes of the Plumbing Code, the following words and phrases shall be the meanings respectively ascribed to them by this section:

*Building official.* The building superintendent of the Village.

*Department.* The building department of the Village.

(c) Penalties. The general penalty provision set forth in Section 1-8 of the Village Code of Ordinances does not apply to this Section.

(d) Amendments. The amendments to the Illinois State Plumbing Code as referred to in Section 6-12 are the following:

***Section 890. Appendix A, Table A, is hereby amended as follows:***

**Approved Materials for Building Sewer**

The approved materials and standards for building sewer set forth in Section 890. Appendix A, Table A of the Illinois Plumbing Code are hereby adopted by the Village, except that the following materials are NOT approved:

1. Acrylonitrile Butadiene Styrene (ABS) pipe
2. Asbestos Cement Pipe
3. Cast Iron Soil Pipe/Fittings
4. Hubless Soil Pipe
5. Copper/Copper Alloy Tubing
6. Concrete Pipe
7. Polyvinyl Chloride (PVC) Pipe
8. Polyvinyl Chloride (PVC) Pipe with Cellular Core
9. Solder
10. Vitrified Clay Pipe

**Agency Notes:**

1. Cast Iron Soil Pipe/Fittings; Hubless Soil Pipe; and Polyvinyl Chloride (PVC) Pipe are allowed only to stub 5' out of the foundation or building wall.
2. No PVC glued joints are allowed outside of a building.

### **Approved Materials for Water Service Pipe**

Only the following materials are approved:

1. Cast Iron (ductile iron) Water Pipe
2. Copper/Copper Alloy Tubing

Agency Notes:

1. Water service pipe must meet the appropriate NSF standard for potable water.
2. Only Type K copper is approved for underground use.

### **Approved Materials for Water Distribution Pipe**

Only the following materials are approved:

1. Brass pipe (For repairs only)
2. Copper/Copper Alloy Tubing
3. Galvanized Steel Pipe (For repairs only).

Agency Notes:

1. Water distribution pipe must meet the appropriate NSF standard for potable water.
2. Type K copper must be used for all underground use.
3. Type K and Type L copper are approved for water distribution in commercial buildings.
4. Type M copper is approved only for use in residential buildings.

**Section 890.1130(g) is hereby amended by adding the following paragraph:**

- 8) A backflow prevention device shall be installed on each water service pipe/line to a business, commercial, or industrial facility in accordance with the Illinois Plumbing Code. This requirement applies whenever there is an installation of a water service pipe/line, or alteration, renovation, or replacement of an existing pipe/line, and for new construction."

**Section 890.1150a3) is hereby amended to state as follows:**

The minimum depth for any water service pipe shall be at least sixty (60) inches deep.

**The first sentence of Section 890.1190(b) is hereby amended to state as follows:**

The water meter must be installed within the building.

**Section 890.1190 is amended to add the following subsection:**

h) **Lawn Sprinkler Systems.** Accessible shut-off valves shall be provided for each lawn sprinkler system. Such shut-off valves shall permit the system to be shut off without interference with the water supply to the building.

**Section 890.1200(a) is hereby amended to state the following in its entirety:**

Water service piping sizing. The water service pipe from the street main (including the tap) to the water distribution system for the building shall be sized in accordance with Appendix A, Tables M, N, O, P, and Q. Water service pipe and fitting shall be at least one inch in diameter. If flushometers or other devices requiring a high rate of water flow are used, the water service pipe shall be designed and installed to provide this additional flow.

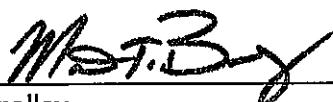
## **SECTION TWO: GENERAL PROVISIONS**

**REPEALER:** All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

**SEVERABILITY:** Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

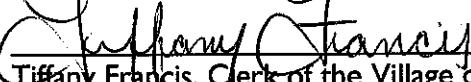
**EFFECTIVE DATE:** This Ordinance shall be in full force and effect from and after its approval, passage and publication in pamphlet form as provided by law.

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois this 20th day of May, 2015.



Matt Brolley,  
President of the Board of Trustees of the Village of Montgomery

ATTEST:



Tiffany Francis, Clerk of the Village of Montgomery



	<b>Aye</b>	<b>Nay</b>	<b>Absent</b>	<b>Abstain</b>
Trustee Stan Bond	✓	—	—	—
Trustee Peter Heinz	✓	—	—	—
Trustee Steve Jungermann	✓	—	—	—
Trustee Dennis Lee	✓	—	—	—
Trustee Douglas Marecek	✓	—	—	—
Trustee Theresa Sperling	✓	—	—	—
Village President Matthew Brolley				
	<u>No vote cast</u>			



### Approval of Adoption of the Illinois Plumbing Code

Pursuant to Section 36 of the Illinois Plumbing License Law (the "Law"; 225 ILCS 320/36) and Section 750.800(b) of the Illinois Plumbers Licensing Code (the "Code"; 68 Ill. Adm. Code 750.800(b)), units of local government should seek Illinois Department of Public Health ("IDPH") advisement and approval to administer a plumbing program. The review and approval of the following governmental unit ordinance applies solely to the authorized governmental unit for the Village of Montgomery based upon the governmental unit's adoption of the Illinois Plumbing Code (77 Ill. Adm. Code 890) in its current form.

#### Governmental Unit Ordinance

#### Effective Date of Approval

Approval Number 0615-000-012

*Ordinance No. 1668 – An Ordinance Adopting the Illinois State Plumbing Code with Amendments*

*Sec. 6-12. – Illinois State Plumbing Code – Adoption (a)*

*"The Illinois State Plumbing Code (77 Ill. Adm. Code 890), as promulgated by the Illinois Department of Public Health, and any subsequent amendments adopted by the Department thereto, is hereby adopted for the purpose of establishing rules and regulations for the materials, construction, alteration and inspection of all plumbing placed in or in connection with any building in the Village..."*

06-04-15

The Illinois Department of Public Health hereby approves the governmental unit ordinance, as stated above, and as authorized by the Law and the Code. Pursuant to the Law and the Code, this IDPH Approval of Adoption is legally valid on the Effective Date, as referenced and identified above.

A handwritten signature in black ink, appearing to read "Justin T. DeWitt".

Justin DeWitt, Chief Engineer

\*NOTE: As referenced by Section 42 of the Law, "the power to regulate the licensing of plumbers, to promulgate a minimum plumbing code of standards, and to regulate the registration of irrigation contractors and plumbing contractors shall... be exercised by the Illinois Department of Public Health, and may not be authorized by any unit of local government, including home rule units." (225 ILCS 320/42)



## APPROVAL OF PLUMBING ORDINANCE

Pursuant to Section 36 of the Illinois Plumbing License Law (the "Law"; 225 ILCS 320/36) and Section 750.800(b) of the Illinois Plumbers Licensing Code (the "Code"; 68 Ill. Adm. Code 750.800(b)), the Illinois Department of Public Health is authorized to review and approve proposed ordinances of governmental units related to the design of plumbing materials, and the operation and maintenance of plumbing systems. The review and approval of the following governmental unit ordinance applies solely to the authorized governmental unit for the Village of Montgomery based upon IDPH's review and analysis of (i) the proposed ordinance, and (ii) the applicable information, facts and circumstances pertaining to this review presented by the governmental unit.

Governmental Unit Ordinance	Effective Date	Expiration Date
<p>Ordinance Number 0615-630-0004</p> <p>"Water service piping sizing. The water service pipe from the street main (including the tap) to the water distribution system for the building shall be sized in accordance with Appendix A, Tables M, N, O, P, and Q. Water service pipe and fitting shall be at least one inch in diameter. If flushometers or other devices requiring a high rate of water flow are used, the water service pipe shall be designed and installed to provide this additional flow."</p> <p>(Amends Section 890.1200(a) of the ILPC)</p>	06-04-15	06-04-18

The Illinois Department of Public Health hereby approves the governmental unit ordinance, as stated above, and as authorized by the Law and the Code. Pursuant to the Law and the Code, this IDPH Approval of Plumbing Ordinance is legally valid on the Effective Date, as referenced and identified above, and becomes legally void on the Expiration Date, also referenced and identified above.

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Justin DeWitt, Chief of General  
Engineering

\*NOTE: As referenced by Section 42 of the Law, "*the power to regulate the licensing of plumbers, to promulgate a , regulate the registration of irrigation contractors and plumbing contractors shall... be exercised by the Illinois Department of Public Health, and may not be authorized by any unit of local government, including home rule units.*" (225 ILCS 320/42),



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Governmental Unit Ordinance	Effective Date	Expiration Date
Ordinance Number 0615-630-0005  "h) Lawn Sprinkler Systems. Accessible shut-off valves shall be provided for each lawn sprinkler system. Such shut-off valves shall permit the system to be shut off without interference with the water supply to the building."  (Amends Section 890.1190 of the ILPC)	06-04-15	06-04-18

The Illinois Department of Public Health hereby approves the governmental unit ordinance, as stated above, and as authorized by the Law and the Code. Pursuant to the Law and the Code, this IDPH Approval of Plumbing Ordinance is legally valid on the Effective Date, as referenced and identified above, and becomes legally void on the Expiration Date, also referenced and identified above.

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Engineering

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Governmental Unit Ordinance	Effective Date	Expiration Date
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Ordinance Number 0615-630-0006  "The water meter must be installed within the building."  (Amends Section 890.1900(b) of the ILPC)	06-04-15	06-04-18
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The Illinois Department of Public Health hereby approves the governmental unit ordinance, as stated above, and as authorized by the Law and the Code. Pursuant to the Law and the Code, this IDPH Approval of Plumbing Ordinance is legally valid on the Effective Date, as referenced and identified above, and becomes legally void on the Expiration Date, also referenced and identified above.

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Justin DeWitt, Chief of General  
Engineering

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Governmental Unit Ordinance	Effective Date	Expiration Date
Ordinance Number 0615-630-0007  "The minimum depth for any water service pipe shall be at least sixty (60) inches deep."  (Amends Section 890.1140 a) 3) of the ILPC)	06-04-15	06-04-18

The Illinois Department of Public Health hereby approves the governmental unit ordinance, as stated above, and as authorized by the Law and the Code. Pursuant to the Law and the Code, this IDPH Approval of Plumbing Ordinance is legally valid on the Effective Date, as referenced and identified above, and becomes legally void on the Expiration Date, also referenced and identified above.

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Governmental Unit Ordinance	Effective Date	Expiration Date
Ordinance Number 0615-630-0008  "8) A backflow prevention device shall be installed on each water service pipe/line to a business, commercial, or industrial facility in accordance with the Illinois Plumbing Code. This requirement applies whenever there is an installation of a water service pipe/line, or alteration, renovation, or replacement of an existing pipe/line, and for new construction."  (Amends 890.1130(g) of the ILPC)	06-04-15	06-04-18

The Illinois Department of Public Health hereby approves the governmental unit ordinance, as stated above, and as authorized by the Law and the Code. Pursuant to the Law and the Code, this IDPH Approval of Plumbing Ordinance is legally valid on the Effective Date, as referenced and identified above, and becomes legally void on the Expiration Date, also referenced and identified above.

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Justin DeWitt, Chief of General  
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Governmental Unit Ordinance	Effective Date	Expiration Date
<p>Ordinance Number 0615-630-0009</p> <p>"Approved Materials for Building Sewer</p> <p>The approved materials and standards for building sewer set forth in Section 890. Appendix A Table A of the Illinois Plumbing Code are hereby adopted by the Village, except that the following materials are NOT approved: 1. Acrylonitrile Butadiene Styrene (ABS) pipe</p> <p>2. Asbestos Cement Pipe 3. Cast Iron Soil Pipe/Fittings 4. Hubless Soil Pipe 5. Copper/Copper Alloy Tubing 6. Concrete Pipe</p> <p>7. Polyvinyl Chloride (PVC) Pipe 8. Polyvinyl Chloride (PVC) Pipe with Cellular Core 9. Solder 10. Vitrified Clay Pipe"</p> <p>(Amends Section 890.Appendix A, Table A of the ILPC)</p>	06-04-15	06-04-18

The Illinois Department of Public Health hereby approves the governmental unit ordinance, as stated above, and as authorized by the Law and the Code. Pursuant to the Law and the Code, this IDPH Approval of Plumbing Ordinance is legally valid on the Effective Date, as referenced and identified above, and becomes legally void on the Expiration Date, also referenced and identified above.

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Governmental Unit Ordinance	Effective Date	Expiration Date
Ordinance Number 0615-630-0010  "Approved Materials for Water Service Pipe  Only the following materials are approved: 1. Cast Iron (ductile iron) Water Pipe 2. Copper/Copper Alloy Tubing"  (Amends 890.Appendix A, Table A)	06-04-15	06-04-18

The Illinois Department of Public Health hereby approves the governmental unit ordinance, as stated above, and as authorized by the Law and the Code. Pursuant to the Law and the Code, this IDPH Approval of Plumbing Ordinance is legally valid on the Effective Date, as referenced and identified above, and becomes legally void on the Expiration Date, also referenced and identified above.

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Governmental Unit Ordinance	Effective Date	Expiration Date
Ordinance Number 0615-630-0011  "Approved Materials for Water Distribution Pipe Only the following materials are approved: 1. Brass pipe (For repairs only) 2. Copper/Copper Alloy 3. Galvanized Steel Pipe (For repairs only)"  (Amends 890.Appendix A, Table A)	06-04-15	06-04-18

The Illinois Department of Public Health hereby approves the governmental unit ordinance, as stated above, and as authorized by the Law and the Code. Pursuant to the Law and the Code, this IDPH Approval of Plumbing Ordinance is legally valid on the Effective Date, as referenced and identified above, and becomes legally void on the Expiration Date, also referenced and identified above.

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