

CHAPTER 31

SEWAGE SYSTEM

ARTICLE I – GENERAL PROVISIONS

31-1-1 DEFINITIONS. Unless the context specifically indicates otherwise, the meaning of terms used in this Chapter shall be as follows:

"Act" means the Federal Water Pollution Control Act, as amended, (**33 U.S.C. 466 et seq.**), (**Pub. L. 95-217**).

"Administrator" means the Administrator of the U.S. Environmental Protection Agency.

"B.O.D." (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in **five (5) days at 20 degrees centigrade (20°C)**, expressed in milligrams per liter.

"Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning **five (5) feet** outside the inner face of the building wall.

"Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

"Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

"Compatible Pollutant" means biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, plus additional pollutants identified in the NPDES permit.

"Director" means the chief administrative officer of a State water pollution control agency or interstate agency. In the event responsibility for water pollution control and enforcement is divided among **two (2)** or more State or interstate agencies, the term, "Director" means the administrative officer authorized to perform the particular procedure to which reference is made.

"Easement" shall mean an acquired legal right for the specific use of land owned by others.

"Federal Grant" shall mean the U.S. government participation in the financing of the construction of treatment works as provided for by Title II-Grants for Construction of Treatment Works of the Act.

"Floatable Oil" is oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

"Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

"Incompatible Pollutant" means any pollutant which is not a compatible pollutant as defined by "Compatible Pollutant".

"Industrial User" shall mean any non-governmental user of publicly-owned treatment works identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions:

- (A) Division A - Agriculture, Forestry and Fishing
- (B) Division B - Mining

- (C) Division D - Manufacturing
- (D) Division E - Transportation, Communications, Electric, Gas, and Sanitary Services
- (E) Division I - Services

A user in the Divisions listed may be excluded if it is determined by the Superintendent that it will introduce primarily segregated domestic wastes or wastes from sanitary conveniences.

"Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from "Sanitary Sewage".

"Major Contributing Industry" shall mean an industrial user of the publicly-owned treatment works that:

- (A) has a flow of 50,000 gallons or more per average work day;
- (B) has a flow greater than **five percent (5%)** of the flow carried by the municipal system receiving the waste;
- (C) has, in its waste, a toxic pollutant in toxic amounts as defined in standards issued under Section 307(a) of the Act; or
- (D) is found by the permit issuance authority, in connection with the issuance of an NPDES permit to the publicly-owned treatment works receiving the waste, to have significant impact, either singly or in combination with other contributing industries, on that treatment works or upon the quality of effluent from that treatment works.

"Milligrams per Liter" shall mean a unit of the concentration of water or wastewater constituent. It is 0.001 gram of the constituent in 1,000 milliliter of water. It has replaced the unit formerly used commonly, parts per million, to which it is approximately equivalent, in reporting the results of water and wastewater analysis.

"Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

"NPDES Permit" means any permit or equivalent document or requirements issued by the Administrator, or, where appropriated by the Director, after enactment of the Federal Water Pollution Control Amendments of 1972, to regulate the discharge of pollutants pursuant to Section 402 of the Act.

"Person" shall mean any individual, firm, company, association, society, corporation or group.

"pH" shall mean the logarithm of the reciprocal of the weight by hydrogen-ions in grams per liter of solution.

"ppm" shall mean parts per million by weight.

"Population Equivalent" is a term used to evaluate the impact of industrial or other waste on a treatment works or stream. One population equivalent is **one hundred (100) gallons** of sewage per day, containing 0.17 pounds of BOD and 0.20 pounds of suspended solids. The impact on a treatment works is evaluated as the equivalent of the highest of the three parameters. Impact on a stream is the higher of the BOD and suspended solids parameters.

"Pretreatment" shall mean the treatment of wastewaters from sources before introduction into the wastewater treatment works.

"Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than **one (1/2) half inch** in any dimension.

"Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

"Replacement" shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the service life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "Operation and Maintenance" includes replacement.

"Residential" or "Commercial User", "Non-Industrial User" shall mean any user of the treatment works not classified as an industrial user or excluded as an industrial user as provided for by "Industrial User".

"Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

"Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface and storm waters as may be present.

"Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

"Sewage Works" shall mean all facilities for collection, pumping, treating, and disposing of sewage.

"Sewer" shall mean a pipe or conduit for carrying sewage.

"Slug" shall mean any discharge of water, sewage or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than **fifteen (15) minutes**, more than **five (5) times** the average **twenty-four (24) hour** concentration of flows during normal operation.

"Storm Drain" (sometimes termed "Storm Sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

"Superintendent" shall mean the Superintendent of Water Pollution Control of the Village, or his authorized deputy, agent or representative.

"Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering.

"Unpolluted Water" is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

"Useful Life" for the industrial cost recovery system shall mean the estimated period during which the treatment works will be operated and shall be **thirty (30) years** from the date of startup of any wastewater facilities constructed with a federal grant.

"User Charge" shall mean a charge levied on users of treatment works for the cost operation and maintenance, including replacement of such works.

"User Rate" shall mean a charge levied on users of treatment works for the cost of operation and maintenance, including replacement and the cost of any bond debt of such works.

"User Class", which only applies to the industrial cost recovery system shall mean the type of user, either "Residential or Commercial" or "Industrial", as defined herein.

"Wastewater" shall mean the spent water of a community. From this standpoint, of course, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with any ground water, surface water and storm water that may be present.

"Wastewater Facilities" shall mean the structures, equipment and processes required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent.

"Wastewater Treatment Works" shall mean an arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used as synonymous with "Waste Treatment Plant", or "Wastewater Treatment Plant", or "Pollution Control Plant".

"Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

31-1-2 JURISDICTION. All sewer systems, owned and operated by individuals, partnerships or corporations within the corporate limits, now or hereafter, shall come under the regulations of this Chapter and shall be under the control, regulations, and supervisions of the Water, Sewer & Street Committee and the Board of Trustees of the Village and in compliance with the laws of the State of Illinois.

ARTICLE II - ADMINISTRATION

31-2-1 SUPERINTENDENT OFFICE CREATED. There is created the office of Superintendent of Sewage Works of the Village. At the first regular meeting of the Board of Trustees, after the election of the Mayor, or as soon thereafter as possible, the Mayor shall appoint, subject to the approval of the Board of Trustees, a Superintendent of Sewage Works, who shall hold office until his successor is appointed and has qualified. The salary of the Superintendent shall be fixed by resolution of the Board of Trustees at the time of his appointment. He shall hereafter be referred to as the "Superintendent".

31-2-2 DUTIES. The Superintendent shall have general supervision of the public sewers and sewage treatment plant of the Village. He shall ascertain the conditions and needs thereof and shall, from time to time, report the same to the Board of Trustees. The Superintendent shall keep proper records of the location of all sewers. "Y" branches and building sewer connections, and the condition of private sewage disposal systems and building sewers. He shall also have other duties specifically set forth in this Chapter and shall have authority to supervise the construction of private sewage disposal systems and the construction and installation of building sewers and to issue permits therefore. The Superintendent shall be responsible for the enforcement of the provisions of this Chapter, unless otherwise stated; he is authorized to make such inspections, observations, measurements, samplings and tests as may be necessary in that regard and is authorized to enter upon any property for that purpose.

31-2-3 WATER, SEWER & STREET COMMITTEE. Each year the Mayor shall appoint **three (3) members** of the Board of Trustees to join him/her and serve as a **four (4) person** committee on utility affairs. The committee members' terms shall expire on the Friday preceding the first Monday in May of each year, unless otherwise ordered by the Board of Trustees. Any member may be reappointed in consecutive terms on the committee. The official name and title of this committee shall be the Water, Sewer & Street Committee of the Village and shall hereafter be referred to as the "Committee".

The Water, Sewer & Street Committee as duly authorized employees of the Village, the Illinois Environmental Protection Agency, as the U.S. Environmental Protection Agency, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this Chapter. The Committee or their representative, shall have no authority to inquire into any process, including metallurgical, chemical, oil refining, ceramic, paper or other industries beyond that point having the direct bearing on the kind and source of discharge to the sewers or waterway or facilities for water treatment.

31-2-4 SANITARY HEALTH COMMITTEE IMMUNITY. While performing the necessary work on private properties referred to in this Chapter, the Committee or duly authorized employees of the Village, the Illinois Environmental Protection Agency shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the Village employees and the Village

shall indemnify the company against loss or damage to its property by Village employees and against liability claims against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in this Chapter.

The Committee, and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all private properties through which the Village holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE III - REGULATIONS

31-3-1 **UNSANITARY DEPOSITS.** It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Village, or in any area under the jurisdiction of said Village, human or animal excrement, garbage or other objectionable waste.

31-3-2 **UNLAWFUL CONSTRUCTION.** Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

31-3-3 **PRIVATE SEWER GUIDELINES.** The owner of all houses, buildings, or properties used for human occupancy, employment, recreations, or other purposes situated within the Village and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located any public sanitary sewer of the Village is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Chapter within **ninety (90) days** after date of official notice to do so provided that said public sewer is within **one hundred feet (100) feet (30 meters)** of the property line.

At such time as a public sewer becomes available to a property served by a private sewage disposal system, a direct connection shall be made to the public sewer compliance with this Chapter, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material. When public sewers become available to a previously unserved area, the owners of any privately owned sewer system within the Village shall furnish all labor and materials at their own expense in replacement of any prevent sewer lines or for any new sewer lines or any extensions thereto.

It shall be unlawful for any owner, partnership or corporation of any privately owned sewer system to charge for sewer rentals, services or connection charges other than as herein provided, and regulated by this Chapter. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, and at no expense to the Village.

31-3-4 **EXCAVATIONS.** All excavations for building sewer installation shall be adequately guarded with barricades and lights to as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village.

31-3-5 **OFFENSES.** No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the municipal or private sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

No unauthorized personnel shall uncover, make any connections with or opening into, use, alter, or disturb any public or private sewer or appurtenance thereof without first obtaining a written permit from the Committee.

It shall be unlawful to discharge to any natural outlet within the Village or in any area under the jurisdiction of said Village, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Chapter.

No person(s) shall make connection of roof downspouts, exterior foundation drains area way drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

31-3-6 CONNECTION TO PUBLIC SEWER. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code, or other applicable rules and regulations of the Village, or the procedures set forth in appropriate specifications of the American Society of Testing Materials, Water Pollution Control Federation Manual of Practice No. 9, and Standard Specifications for Water and Sewer Main Construction in Illinois. All such connections shall be made gas-tight and water-tight. Any deviation from the prescribed procedures and materials must be approved by the Sanitary and Health Committee. No person shall construct a new direct wastewater discharge to the waters of the State within the Village limits.

31-3-7 DISPOSALS. All disposals by any person into the sewer system is unlawful except those discharges in compliance with Federal Standards promulgated pursuant to the Federal Act and more stringent State and Local standards.

31-3-8 SEPARATE BUILDING SEWERS. A separate and independent building sewer shall be provided for every building except that where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Committee to meet all requirements of this Chapter.

31-3-9 CONSTRUCTION OF BUILDING SEWERS. The size, slope, alignment, materials of construction of building sewer, and the methods to be used in excavating, placing the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Village. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society of Testing Materials, Water Pollution Control Federation Manual of Practice No. 9, and Standard Specification for Water and Sewer Main Construction in Illinois shall apply.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by a means which is approved in accordance with **Section 31-3-7** and discharge to the building sewer.

31-3-10 PERMITS, APPLICATION, FEES. It shall be unlawful for any person, partnership or corporation to connect any sewer line serving any premises or construct any main disposal, lateral or private sewer line within the Village without the first securing a permit and paying the fee herein provided.

Before any sewer line is laid or any sewer connections to any premises are made or extended in said Village, a permit for same shall be applied for at the Office of the Village Clerk. There shall be **two (2) classes** for building sewer permits:

- (A) for residential and commercial service, and
- (B) for service to establishments producing industrial wastes.

In either case, the owner or his agent shall make application to the Village. Any application shall be supplemented by plans, specifications, or other information considered pertinent in the judgment of the Committee. A permit an inspection fee for a residential or commercial building sewer permit shall be paid the Village at the time the application is filed. The fees payable at time of filing the application are:

Inspection fee: \$100.00

The industry, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics, and type of activity. If appropriate, the application shall be approved by the Committee, and when so approved the Clerk shall issue a permit therefore. No such permit shall issue until same is approved and the permit fee is paid as provided.

The applicant for sewer service shall pay for all costs of labor and materials, including the cost of tapping to the regular sewer mains, and for installing sewer service to the premises to be served. The owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of the sewer serving owners' premises.

The fee for connection (tap-ons) shall be:

For single family residence	\$2,750.00
Duplex Units - Residential	\$2,750.00 per unit
Multi-Family - Residential	\$2,500.00 per unit
Commercial	\$2,000.00 plus \$200.00 per P.E. as approved by the Village

Water	*Residential and	¾" Meter	\$2,500.00
	**Commercial		
		1" Meter	\$3,000.00

*Each dwelling unit will have a separate tap-on fee and meter.

** Each individual unit will have a separate tap-on fee and meter.

31-3-11 PERMIT ISSUANCE. A building sewer permit will only be issued and a sewer connection shall only be allowed if it can be demonstrated that the downstream sewage facilities, including sewers, pump stations, and wastewater treatment facilities, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.

ARTICLE IV – SERVICE CHARGES

31-4-1 BASIS FOR FEES. The wastewater service charge for the use of and for service supplied by the wastewater facilities of the Village shall consist of a minimum monthly charge and a basic user rate.

The Wastewater Service Charge shall be based on water usage as recorded by water meters for wastes having the following normal concentrations:

(A) A **five (5) day, 20 degree Centigrade (20°C)** bi-chemical oxygen demand (BOD) of 200 mg/l.

(B) A suspended solids (SS) content of 250 mg/l.

It shall consist of operation and maintenance costs plus replacement and shall be computed as follows:

Estimate the projected annual revenue required to operate and maintain the wastewater facilities including a replacement fund for the year for all works categories.

(A) Estimate wastewater volume to be treated.

(B) Compute costs per 1000 gallons for normal sewage strength.

A surcharge will be levied to all users whose waters exceed the normal concentration for BOD (200 mg/l) and SS (250 mg/l). The surcharge will be based on water usage as recorded by water meters and/or sewage meters for all wastes which exceed the 200 mg/l and 250 mg/l concentration for BOD and SS respectively. **Section 31-4-6** and **31-4-7** specify the procedure to compute surcharge.

The adequacy of the wastewater service charge shall be reviewed annually by certified public accountants for the Village in their annual audit report. The wastewater service charge shall be revised periodically to reflect a change in operation and maintenance costs including replacement costs.

31-4-2 MEASUREMENT OF FLOW. The volume of flow used for computing basic user charges shall be the metered water consumption read to the lowest even 100 increment of 1000 gallons.

31-4-3 MINIMUM MONTHLY CHARGE. There shall be and there is hereby established a minimum charge for the use of and for service supplied by the wastewater facilities of the Village.

A minimum basic charge of **Thirteen Dollars Fifty Cents (\$13.50)** per month shall be applied to all users whose water consumption does not exceed **two thousand (2,000) gallons** per month.

31-4-4 SUPPLEMENTAL SERVICE RATE. There shall be and there is hereby established an additional charge supplementing the basic minimum rate for the use of and for service supplied by the wastewater facilities of the Village.

An additional rate of **Five Dollars (\$5.00)** per **one thousand (1,000) gallons** shall be applied to all users for water consumption in excess of **two thousand (2,000) gallons** per month.

This supplemental service rate shall be computed by the following formula:

$$C = \$13.50 + (\$5.00 (V-2000)/1000)$$

Where C = wastewater service charge on a monthly billing basis
 V = volume (in gallons) of metered water consumption during the billing period.

If "V" is equal to or less than **two thousand (2,000) gallons**, the minimum monthly charge will go into effect.

31-4-5 NON-METERED SEWER RATES. The rate for non-metered sewer users will be based on the number of occupants of the residence if it is a residential establishment. The rates shall be as follows:

OCCUPANTS	MONTHLY SEWER RATE
1	\$5.00
2	\$5.00
3	\$6.80
4	\$8.80
5	\$10.80

Occupancy above **two (2)** will be assessed **One Dollar Eighty Cents (\$1.80)** per month.

If the Sanitary and Health Committee determines that a significant amount of sewage above the estimated amount is being discharged, the monthly charge will be adjusted accordingly.

31-4-6 SURCHARGE RATE. The rates of surcharges for BOD 5 and SS shall be as follows:

$$C = \$13.50 + (\$5.00 (VS2000)/I000)$$

CS = Wastewater (surcharge) service charge on a monthly basis
 V = Volume (in gallons) of metered water consumption during the billing period. If V is equal to or less than **two thousand (2,000) gallons**, the minimum charge will be **Thirteen Dollars Fifty Cents (\$13.50)**

31-4-7 COMPUTATION OF SURCHARGE. The concentration of wastes used for computing surcharges shall be established by waste sampling. Waste sampling shall be performed as often as may be deemed necessary by the Committee and shall be dining as a basis for surcharges.

31-4-8 **LEAKAGE.** Because water from leaks are not actually passing through sewer treatment, a credit may be authorized to a customer's sewer charge calculated using the rates herein and equivalent to that amount of water usage determined to be attributable to a water service line leak. The determination shall be made by the Committee, subject to review by the Board of Trustees. The average past water usage of the customer will be one factor considered in determining the amount attributable to leaks.

31-4-9 **REVENUES.** All revenues and monies derived from the operation of the sewerage system shall be deposited in the sewage account of the sewerage fund. All such revenues and monies shall be held by the Village Treasurer separate and apart from his private funds and separate and apart from all other funds of the Village and all of said sum, without any deductions whatever, shall be delivered to the Village Treasurer not more than **ten (10) days** after receipt of the same, or at such more frequent intervals as may from time to time be directed by the President and Board of Trustees.

The Village Treasurer shall receive all such revenues from the sewerage system and all other funds and monies incident to the operations of such system as the same may be delivered to and deposit the same in the account of the fund designated as the "Sewerage Fund of the Village of Hamel". The Treasurer shall administer such fund in every respect in the manner provided by statute of the Illinois Municipal Code, as amended.

31-4-10 **DELINQUENCY.** In the event that charges for sewerage service are not paid within **thirty (30) days** after rendition of the bill for such service such charges shall be deemed and are hereby declared to be delinquent and thereafter such delinquency shall constitute a lien upon the real estate for which such service is supplied, and the Village Clerk be and s/he is hereby authorized and directed to file sworn statements showing such delinquencies in the office of the Recorder of Deeds of Madison County, and the filing of such statement shall be deemed notice of the lien of such charges for such service.

That all sewerage service shall be discontinued without further notice if the rates or charges for such services are not paid within **thirty (30) days** after rendition of the bill therefore.

31-4-11 **COLLECTION.** The rates and charges herein established shall be collected from the owners, occupants, tenants, and or users of the premises within said Village from and after the effective date of this Chapter.

31-4-12 **NOTICE OF RATES.** A copy of this Chapter properly certified by the Village Treasurer, shall be filed in the office of the Recorder of Deeds of Madison County and charges shall be deemed notice to all owners of real estate of the charges of the sewerage system of said Village on their properties.

31-4-13 **PENALTY.** Any person, firm or corporation violating any provisions of this Chapter shall be fined not less than **One Hundred Dollars (\$100.00)** nor more than **Seven Hundred Fifty Dollars (\$750.00)** for each offense.

31-4-14 **ACCOUNTS.** The Village Treasurer shall establish a proper system of accounts and shall keep proper books, records, and accounts in which complete and correct entries shall be made of all transactions relative to the sewerage system, and at regular annual intervals he shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the sewerage system.

In addition to the customary operating statements, the annual audit report shall also reflect the revenues and operating expenses of the wastewater facilities, including a replacement cost, to indicate that sewer service charges under the waste cost recovery system do, in fact, meet these regulations. In this regard, the financial information to be shown in the audit report shall include the following:

- (A) Flow date showing total gallons received at the wastewater plant for the current fiscal year.
- (B) Billing date to show total number of gallons billed.
- (C) Number of users connected to the system.
- (D) Number of non-metered users.

31-4-15 **ACCESS TO RECORDS.** The Illinois Environmental Protection Agency or its authorized representative shall have access to any books, documents, papers and records of the Village which are applicable to the Village system of user charges or industrial cost recovery for the purpose of making audit, examination, excerpts and transcriptions thereof, to insure compliance with the terms of the Special and General Conditions to any state grant.

31-4-16 **ATTORNEY FEES.** If, upon prosecution of any violation of this Chapter, or upon suit for collection of charges due under this Chapter, the court specifically finds that the owner who consumed sewerage services from the Village violated this Chapter or failed to pay any amounts accurately calculated to be due without just cause or right, the court may tax that owner the reasonable attorney fees of the Village in the prosecution of such violation or suit for collection and/or foreclosure of the lien created herein.

If, on the other hand, the court specifically finds that the Village has brought an action under this Act without just cause or right, the court may tax the Village the reasonable attorney fees of the owner who defended the action.

“Without just cause or right,” as used in this Section means a claim asserted by the Village or a defense asserted by the owner which is not well grounded in fact and warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law.

ARTICLE V - USE OF PUBLIC SEWER REGULATIONS

31-5-1 DISCHARGE. No person shall discharge, or cause to be discharged, any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Committee. Industrial cooling water or unpolluted process waters may be discharged on approval of the Committee to a storm sewer, or natural outlet.

31-5-2 DISCHARGE SPECIFICS. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(A) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

(B) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by intersection with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.

(C) Any waters or wastes having a pH lower than 5.5 and in excess of 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

(D) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk, containers, etc., either whole or ground by garbage grinders. No person shall discharge or cause to be discharged, the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Committee that such wastes can harm either the sewer's sewage treatment process or equipment, have an adverse effect on the receiving stream; or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming its opinion as to the acceptability of these wastes, the Committee will give considerations to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, and maximum limits established by regulatory agencies. The substances prohibited are:

(A) Any liquid or vapor having a temperature higher than **one hundred fifty degrees Fahrenheit (150°F), sixty-five degrees Celsius (65°C).**

(B) Any waters or wastes containing toxic or poisonous materials, or oils, whether emulsified or not, in excess of one hundred (100) mA or containing substances which may solidify or become viscous at temperatures between **thirty-two (32) and one hundred fifty degrees Fahrenheit (150°F), and sixty-five degrees Celsius (65°C).**

(C) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of **three-fourths (3/4) horsepower (0.76 Hp metric)** or greater shall be subject to the review and approval of the Committee.

(D) Any waters or wastes containing strong acid, iron pickling wastes, or concentrated plating solutions, whether neutralized or not.

(E) Any waters or wastes containing iron, chromium, copper, zinc, or similar objectionable or toxic substances; or waters exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works, exceeds the limits established by the Village for such materials.

(F) Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Village as necessary after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.

(G) Any radioactive wastes or isotopes of such half-life or concentrations as may exceed limits established by the Village in compliance with applicable State or Federal regulations.

(H) Any waters or wastes having a pH lower than 5.5 or in excess of 9.5.

(I) Any mercury or any of its compounds in excess of 0.0005 mg/l as Hg at any time except as permitted by the Committee in compliance with applicable State and Federal regulations.

Any cyanide in excess of 0.025 mg/l at any time except as permitted by the Committee in compliance with applicable State and Federal regulations.

(K) Materials which exert or cause:

(L) unusual concentrations of inert suspended solids (such as, but not limited to, Fuller's Earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to sodium chloride and sodium sulfate);

(1) excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions);

(2) unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works;

(3) unusual volume of flow or concentrations of wastes constituting "sludge".

(M) Waters or wastes containing substances which are not amenable to treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters.

31-5-3 EFFECT OF PROHIBITED DISCHARGE. If waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in **Section 31-5-4**, and/or which are in violation of the standards for pretreatment provided in **Chapter 1, EPA Rules and Regulations, Subchapter D, Water Programs Part 128 — Pretreatment Standards, Federal Register Volume 38 No. 215, Thursday November 8, 1973** and any amendments thereto, and which in the judgment of the Committee may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Committee may:

- (A) reject the wastes;
- (B) require pretreatment to an acceptable condition for discharge to the public sewers;
- (C) require payment to cover the added costs of handling the treating the wastes not covered by existing taxes or sewer charges;
- (D) require control over the quantities and rates of discharge.

31-5-4 INTERCEPTORS PROVIDED.

(A) Grease, oil, and sand interceptors shall be provided in accordance with the Illinois State Plumbing Code to assure the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Village and shall be located as to be readily and easily accessible for cleaning and inspection. All grease interceptors shall be serviced and emptied of accumulated waste content as required or at a minimum of once every **four (4) months** in order to maintain minimum design capability or effective volume of the grease interceptor and to prevent carry over of grease into the sanitary sewer system. All fast food and sit-down restaurants shall install a grease interceptor with a capacity of at least **one thousand five hundred (1,500) gallons**, and designed in accordance with **Appendix "A"**. Food establishments that serve a minimum amount of fried foods such as deli sandwich shops, shall install a grease interceptor with a capacity of at least **one thousand (1,000) gallons**, and designed in accordance with **Appendix "B"**.

(B) Users whose operations cause or allow excessive grease to discharge or accumulate in the Village wastewater collection and treatment system may be liable to the Village for costs related to service calls for sewer line blockages, line cleaning, line and pump repairs, etc. including all labor, materials, and equipment. Failure to pay all service related charges may also be grounds for sewer service discontinuance.

(C) **Maintenance Log.** A grease trap cleaning/maintenance log indicating each pumping for the previous **twenty-four (24) months** shall be maintained by each Food Service Facility. This log shall include the date, time, amount pumped, hauler, and disposal site and shall be kept in a conspicuous location for inspection. Said log shall be made available to the Village or his representative upon request.

(D) **Submittal of Records.** Each user shall submit all cleaning and maintenance records to the Village. The maintenance records shall include the following information:

- (1) Facility name, address, contact person, and phone number.
- (2) Company name, address, phone number, and contact name of person responsible for performing the maintenance, cleaning, pumping, or repair of grease trap.
- (3) Types of maintenance performed.
- (4) Dates maintenance was performed.
- (5) Date of next scheduled maintenance.
- (6) Copies of manifests.
- (7) The user shall be required to submit maintenance records to the Village on an annual basis. Records shall be submitted by **September 1st** of each year. The records shall be submitted to:
Attn: Wastewater Superintendent

(E) The Village will perform periodic inspections of these facilities and shall notify the user of any additional required maintenance or repairs. Upon written notification by the Village, the user shall be required to perform the maintenance and records of said maintenance within **fourteen (14) calendar days**. Upon inspection by the Village the user may be required to install, at his expense, additional controls to provide a complete system which prevents discharges of undesirable materials into the wastewater collection system.

(F) **Control Plan for Fats, Oils, Greases (FOG) and Food Waste.**

- (1) Any new construction, renovation, or expansion of Food Service Facilities shall be required to submit to the Village a FOG and food waste control plan that will effectively control the discharge of undesirable materials into the wastewater collection system.
- (2) Any existing Food Service facilities shall also be required to submit a FOG and food waste control plan that will effectively control the discharge of undesirable materials into the wastewater collection system. Existing facilities shall not be exempt from the requirements of this Section. There will be no "Grandfathering".

(G) **Exceptions to the Above.** Should existing facilities be hampered by space constraints or restrictions caused by unchangeable plumbing, an alternative interceptor may be approved, provided that:

- (1) Said interceptor and installation is endorsed by a licensed plumbing contractor in regard to its operability.
- (2) Said interceptor and installation is endorsed by the Village Engineer.
- (3) Said interceptor and installation is approved by the Superintendent and the Water and Sewer Committee.

Such installations may be subject to more stringent inspections and maintenance schedules.

31-5-5 FLOW EQUALIZING FACILITY. Where preliminary treatment or flow-equalizing facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

31-5-6 INDUSTRIAL DISCHARGE. No industrial user may discharge sewage into any public sewer until the Village has adopted an industrial cost recovery system which:

- (A) Meets the requirements of Section 204(b)(1)(B) of the Federal Water Pollution Control Act Amendments of the 1972 (citation) and applicable federal regulations; and
- (B) has been approved by the Agency in accordance with the conditions of any grant made to the Village by the United States Environmental Protection Agency or by the State of Illinois for the construction of any part of the sewer system or sewage treatment works of the Village.

31-5-7 INDUSTRIAL REQUIREMENTS. Each industry shall be required to install a control manhole and, when required by the Committee, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manholes, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Committee. The manhole approved by the Committee. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

31-5-8 INDUSTRIAL ANALYSIS. The owner of any property serviced by a building sewer carrying industrial wastes shall provide laboratory measurements, tests, and analysis of waters and wastes to illustrate compliance with this Chapter and any special conditions for discharge established by the Village or regulatory agencies having jurisdiction over the discharge.

The number, type and frequency of laboratory analysis to be performed by the owner shall be as stipulated by the Village, but not less than once per year, the industry must supply a complete analysis of the

constituent of the waste water discharge to assure that compliance with the Federal, State, and local standards are being met. The owner shall report the results of measurements and laboratory analyses to the Village at such time and in such manner as prescribed by the Village. At such times as deemed necessary, the Village reserves the right to take measurements and samples for the analysis by an outside laboratory service.

31-5-9 MEASUREMENT STANDARDS. All measurements, tests and analyses of the characteristics of waters and wastes to which references is made in this Chapter shall be determined in accordance with the latest edition of "**Standard Methods for the Examination of Water and Wastewater**", published by the American Public Health Association, and shall be determined at the control manhole provided or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. The particular analyses involved will determine whether a **twenty-four (24) hour** composite of all outfalls of a premise is appropriate or whether a grab sample of samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24 hour composites of all outfalls, whereas pH's are determined from periodic grab samples.

31-5-10 ORDINANCE NOT LIMITING CONTRACTS. No statement contained in this Chapter shall be construed as preventing any special agreement or arrangement between the Village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment, subject to payment therefore, in accordance with Federal and State guidelines for User Charge System and Industrial Cost Recovery System.

31-5-11 PRETREATMENT/EQUALIZATION OF WASTE FLOWS. If the Committee permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent, the Committee, the Village Engineer and the Village Board and subject to the requirements of all applicable codes, ordinances and laws.

31-5-12 USE OF GROUNDWATER AS A POTABLE WATER SUPPLY PROHIBITED.
(A) The use or attempt to use as a potable water supply, groundwater from within the "restricted areas" of the Village, by the installation of drilling wells or by any other method is hereby prohibited.

(B) **Penalties.** A violation, by any person, corporation or otherwise, whether as principal, agent, employee or otherwise, of any provision of this Section shall be a misdemeanor and will be subject to a fine of not less than **One Hundred Dollars (\$100.00)** nor more than **Seven Hundred Fifty Dollars (\$750.00)**. Each day of the continued violation shall constitute a separate offense and additional violation. The remedies herein are cumulative and not exclusive. Nothing herein shall limit any other right or remedy of the Village or any other person in interest, including the right to obtain an injunction of any violation from a court of competent jurisdiction.

(C) **Definitions.**

(1) **"Person"** is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision including the Village, or any other legal entity, or their legal representatives, agents or assigns.

(2) **"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.

(Ord. No. 15-03; 04-14-15)

ARTICLE VI - PENALTIES

31-6-1 NOTICE. Any person found to be violating any provision of this Chapter shall be served by the Village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. The Village may revoke any permit for sewage disposal as a result of any violations of any provision of this Chapter.

31-6-2 PENALTY. Any person who shall continue any violation beyond the time limit provided for in **Section 31-5-1**, shall be guilty of a misdemeanor, and on conviction thereof, shall be fined in the amount not exceeding **Seven Hundred Fifty Dollars (\$750.00)** for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

ARTICLE VII - PRIVATE SEWER

31-7-1 **CONNECTION REQUIREMENT.** Where a public sanitary or combined sewer is not available under the provisions of this Article, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Article.

31-7-2 **CONSTRUCTION PREREQUISITE.** Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Superintendent. The application for such permit shall be made on a form furnished by the Village, which the applicant shall supplement by any plans, specifications, and other information as is deemed necessary by the Superintendent.

31-7-3 **PERMIT - WHEN EFFECTIVE.** A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Superintendent when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within **sixty (60) hours** of the receipt of notice by the Superintendent.

31-7-4 **SPECIFICATIONS - COMPLIANCE REQUIRED.** The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the State of Illinois. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than a size suitable for installation of an effective system. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.

31-7-5 **APPLICATION OF CODE.** No statement contained in this Code shall be construed to interfere with any additional requirements that may be imposed by the Manager of the County Land Development, or of the State of Illinois.

31-7-6 **BUILDING, SEWER CONNECTION.** When a public sewer becomes available, the building sewer shall be connected to the sewer within **sixty (60) days** and the private sewage disposal system shall be cleaned of sludge and filled with clean bank run gravel or dirt.

31-7-7 **WRITTEN PERMIT REQUIRED.** No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.

31-7-8 **ELEVATION.** Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to any bearing wall if within **three (3) feet** of any wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction or grade shall be allowed only when a proper manhole is constructed at the location of the change.

31-7-9 **EXCAVATIONS.** All excavations required for the installation of a building sewer shall be open trench work, unless otherwise approved by the Superintendent. Pipe laying and backfill shall be performed in accordance with ASTM Specification (C12-58-T) [or most current ASTM Designation], except that no backfill shall be placed until the work has been inspected.

31-7-10 **INSPECTION NOTIFICATION.** The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative.

(Ord. No. 06-04)

ARTICLE VIII – CONFINED ENTRY POLICY

31-8-1 **ADOPTED BY REFERENCE.** The provisions of **Exhibit "A"** shall be the official policy concerning the "Confined Space Entry Policy". **(Ord. No. 14-014; 11-12-14)**