



Illinois Environmental Protection Agency

1021 1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276 • (217)782-3397

# EXAMPLE

## USER CHARGE ORDINANCES



WASTEWATER

Please note, these are simply EXAMPLES. There are many different variations of User Charge Ordinances across the State of Illinois. These are meant to be used as a tool or reference to help your community formulate the appropriate rate structure for their sewer system.

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# EXAMPLE

## USER CHARGE ORDINANCES

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# CHAPTER 5

## WATER AND SEWER FEES, RATES AND CHARGES

### SECTION:

7-5-1: Combined System Rates Established

7-5-2: Special Rates And Charges

7-5-3: Purchased Water Adjustment (Rep. by Ord. 94-16, 11-28-1994)

7-5-4: Connection Charges

7-5-5: Water Service Deposit [1](#) (Rep. by Ord. 14-17, 10-27-2014)

7-5-6: Liability For Charges

7-5-7: Payment Of Bills; Delinquencies; Lien [2](#) (Rep. by Ord. 14-17, 10-27-2014)

7-5-8: Penalties

### Notes

- [1](#) 1. See section 14-1-3 of this code.
- [2](#) 2. See title 14, chapter 1 of this code.

### **7-5-1: COMBINED SYSTEM RATES ESTABLISHED:**

There are hereby established for bills rendered on or after July 1, 2019, the following rates and charges for the use of and for the services supplied by the combined waterworks and sewerage system of the village, said rates to be based on the amount of water supplied to each premises and then be calculated on a monthly basis including charges for sewerage service rendered by said combined system.

A. Base Water Rate; Inside Village. The minimum water rate for water service inside the corporate limits of the Village shall be Twenty One dollars per meter served, for usage not exceeding one thousand five (1,500) gallons. Thereafter the rate shall be one dollar and thirty-six cents (\$1.36) per one hundred gallons of water use measured at the meter. To these charges shall be added a purchased water adjustment charge calculated in accordance with subsection F of this section.

B. Base Water Rate; Outside Village. The minimum water rate for water service outside the corporate limits of the Village shall be twenty-two dollars (\$22.00) per meter served, for usage not

exceeding one thousand five (1,500) gallons. Thereafter the rate shall be one dollar and thirty-six cents (\$1.36) per one hundred gallons of water use measured at the meter. To these charges shall be added a purchased water adjustment charge calculated in accordance with subsection F. of this section.

C. Bulk Rate: The bulk water rate charge for water service supplied to all premises located within or outside of the village shall be twenty five cents (\$0.25) per thirty (30) gallons supplied.

D. Sewer Rate; Inside Village:

1. Except as set forth in subsection E of this section, the minimum monthly charge for sewer service within the village shall be nine dollars ninety cents (\$9.90) for each water meter, based upon water usage not exceeding one thousand five hundred (1,500) gallons. Thereafter, the sewer rate shall be thirty eight cents (\$0.38) per one hundred (100) gallons of water use measured at the meter.

2. No sewer services are available outside the village.

E. Commercial Sewer Rate: There is hereby established a rate and charge classification for sewer service provided to commercial users. "Commercial", for the purpose of this subsection, is defined as any business or commercial enterprise providing retail sales on a continuing basis and using fifteen thousand eight hundred (15,800) gallons of water or more each month. Commercial users shall pay flat charges, as follows:

15,800 - 40,000 gallons	\$ 54.00
40,001 - 50,000 gallons	\$64.80
50,001 - 60,000 gallons	\$75.60
60,001 - 70,000 gallons	\$86.40
70,001 - 80,000 gallons	\$97.20
80,001 - 90,000 gallons	\$108.00

F. Purchased Water Adjustment Charge: There is hereby established a purchased water adjustment charge, which will be automatically added to or subtracted from the water rates set forth in subsections A and B of this section. The purchased water adjustment charge shall be calculated as the difference between two dollars fifty-five cents (\$2.55) per thousand gallons and the rate actually charged by the Village Lake water commission to the village and as adjusted from time to time. The base water rate shall be adjusted assuming one thousand five hundred (1,500) gallons of use. (Ord. 10-21, 6-28-2010; amd. Ord. 19-05, 4-22-2019)

**7-5-2: SPECIAL RATES AND CHARGES:**

The president and board of trustees reserve the right to establish special rates and charges for large users and governmental users commensurate with the extent of services rendered and the proportionate expenses allocable thereto. (Ord. 87-6, 4-6-1987)

**7-5-3: PURCHASED WATER ADJUSTMENT:**

(Rep. by Ord. 94-16, 11-28-1994)

**7-5-4: CONNECTION CHARGES:**

A. Connection Charges Established: Connection charges for connection to the village waterworks and sewer systems within the village limits shall be as follows:

For any water line larger than 1 inch	Customer will pay actual cost of labor and material for construction, in addition to a \$750 connection fee
For a 1 inch water line	\$750.00
For a 3/4 inch water line	\$500.00
For any in-village single family residence waste water sewer tap	\$200.00
For any other waste water sewer tap	\$1,000.00

However, for a property that has already been tapped to the main and has a pit installed at the time of application for connection to the water system within the village limits, the water line connection charge shall be as follows:

For a 1 inch water line	\$500.00
For a 3/4 inch water line	\$400.00

In addition, should the connection require installation by the village of any service line longer than thirty feet (30'), the customer shall pay the village's actual cost of installation of any such line, including the cost of materials and labor and burden rate.

B. Connections Outside Village Limits: Connection charges for connections to the waterworks or sewerage system for customers outside the village limits shall be negotiated but shall not be less than the amounts in subsection A of this section. For such connections, the connection charge shall bear a reasonable relationship to the cost to the village of providing service outside the village limits. The connection charge may, at the sole discretion of the village board, be collected in installments designed to recoup the village costs for providing extraterritorial service.

C. Cost Of Bore: In addition to the foregoing charges, if it is necessary for the village to bore under a public street in order to provide water or sewer service, the customer shall pay the actual cost of the bore.

D. Reference: The foregoing fees may be varied by the village pursuant to contracts with landowners and developers in accordance with sections 9-5-1 et seq., and 11-15.1-1.1 et seq., of the Illinois municipal code, and in such event, the fees as agreed shall be binding upon persons purchasing property from such landowners and developers.

(Ord. 02-05, 5-13-2002; amd. Ord. 11-1, 3-14-2011; Ord. 20-10, 4-27-2020; Ord. 22-07, 5-9-2022)

**7-5-5: WATER SERVICE DEPOSIT 1 :**

(Rep. by Ord. 14-17, 10-27-2014)

Notes

1. See section 14-1-3 of this code.

**7-5-6: LIABILITY FOR CHARGES:**

A. Joint Liability: The services of the combined waterworks and sewerage system shall be deemed to be furnished to the owner of the premises and to the occupant and the user, and from and after the effective date hereof the owner and the occupant and the user shall be jointly and severally liable for the payment of all charges for such services, and such services are furnished to the premises by the village only upon the condition that the owner of the premises and the occupant thereof and the user of the services are jointly and severally liable therefor to the village and that each of said persons signs and executes the application for service.

B. Notice: A copy of ordinance 87-6, properly certified by the village clerk, shall be filed in the office of the recorder of deeds of Village’s County, and such filing shall be deemed notice to all owners of real estate of their liability for services supplied to any consumer or user of the services of the combined waterworks and sewerage system of the village or their properties. (Ord. 87-6, 4-6-1987; amd. 1994 Code)

**7-5-7: PAYMENT OF BILLS; DELINQUENCIES; LIEN 1 :**

(Rep. by Ord. 14-17, 10-27-2014)

Notes

1. See title 14, chapter 1 of this code.

**7-5-8: PENALTIES:**

Any person violating any provision of this chapter shall be subject to penalty as provided in section 1-4-1 of this code. (1994 Code)

# **CHAPTER 6**

## **BILLING REBATES AND CREDITS**

**SECTION:**

7-6-1: Billing Rebates And Credits

**7-6-1: BILLING REBATES AND CREDITS:**

A. Whenever the Village or a customer discovers that there has been an error in billing for any utility services, or in the event of a customer's request for an adjustment of a utility bill due to a water service break or other cause, any rebate or credit issued by the Village shall be limited to a time period beginning on a date two (2) years prior to discovery of the error or the customer's request for an adjustment.

B. When an error in billing is discovered, or in the event a customer's request for an adjustment of a utility bill is honored, the Village shall issue a cash rebate only if the service is discontinued. In all other cases, the Village shall credit the amount overpaid by the customer against subsequent utility bills.

C. The policies set forth in this Title shall apply to all Village utilities: gas, water and sewer. However, since each utility has a separate fund within the Village Treasury, any credit or rebate shall be solely against the fund which received the overpayment. (Ord. 98-3, 2-23-1998)

# EXAMPLE

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# CHAPTER 51: SEWERS

## Section

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## **GENERAL PROVISIONS**

### **§ 51.001 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ACT. The Federal Water Pollution Control Act, as amended, 33 U.S.C. §§ 1251 et seq.

ADMINISTRATOR. The Administrator of the U.S. Environmental Protection Agency.

APARTMENT. Any single unit of living space having cooking, bathing, and sleeping facilities for the exclusive use of those living in the APARTMENT.

BIOHAZARDOUS MATERIAL. A material that contains pathogenic organisms that are known or reasonably believed to cause disease in humans.

BOD or BIOCHEMICAL OXYGEN DEMAND. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20°C, expressed in milligrams per liter.

BUILDING DRAIN. The 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 5 feet outside the inner face of the building wall.

BUILDING SEWER. The sewer pipe from the building drain to the connection point on the public sewer main or other place of disposal.

COMBINED SEWER. A sewer receiving both surface runoff and sewage.

COMMERCIAL USER. Any 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:

- (1) Division F: Wholesale Trade;
- (2) Division G: Retail Trade;
- (3) Division H: Finance, Insurance, and Real Estate; and
- (4) Division I: Services except establishments which discharge industrial wastes.

COMPATIBLE POLLUTANT. Biochemical oxygen demand, suspended solids, pH, and fecal coliform bacteria, plus additional pollutants identified in the NPDES permit.

DEBT SERVICE CHARGE. A charge levied on users of treatment works for the cost of any bond debt to be paid by revenue generated from the operation of the treatment works.

DEPRECIATION. The decrease in the monetary value of an asset with time. Each component of the sewage works shall be assumed to depreciate at a constant rate over its anticipated service life.

**DIRECTOR.** 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 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.** An acquired legal right for the specific use of land owned by others.

**FEDERAL GRANT.** 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.** Oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. Wastewater shall be considered free of **FLOATABLE FAT** if it is properly pretreated and the wastewater does not interfere with the collection system.

**GARBAGE.** Solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

**INCOMPATIBLE POLLUTANT.** Any pollutant which is not a compatible pollutant as defined in this section.

**INDUSTRIAL USER.** Any 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:

- (1) Division A: Agriculture, Forestry, and Fishing;
- (2) Division B: Mining;
- (3) Division D: Manufacturing;
- (4) Division E: Transportation, Communications, Electric, Gas, and Sanitary Services; and
- (5) Division I: Services.

**INDUSTRIAL WASTES.** The wastewater discharges from industrial manufacturing processes, trade, or business separate from or in combination with their employees' domestic wastes and wastes from sanitary conveniences.

**INFLOW SOURCES.** Include wastewater flows from rainfall, snowfall, or other precipitation through downspouts, footing drains, yard drains, culverts, storm sewers, and other sources.

**MAJOR CONTRIBUTING INDUSTRY or SIGNIFICANT INDUSTRIAL USER.** An industrial user of the publicly owned treatment works who contributes a process waste stream that:

- (1) Has a total flow of more than 5,000 gallons per day;
- (2) Produces slug flows by intermittent discharges of process tank draindowns, rinses, washes, and the like, so that the flow rate of the discharge is greater than 50 gallons per minute;
- (3) Contributes more than 15 pounds per day of BOD5 or suspended solids;
- (4) Has in its waste a toxic pollutant as defined in standards issued under § 307(a) of the Act (33 U.S.C. § 1317(a)); or

(5) Is found by the permit issuance authority, the State Environmental Protection Agency, to have significant impact, either singly or in combination with other contributing industries, on the treatment works or upon the quality of the effluent.

MILLIGRAMS PER LITER. A unit of the concentration of water or wastewater constituent. It is 0.001 g of the constituent in 1,000 milliliters of water. It has replaced the unit formerly used commonly (parts per million) to which it is approximately equivalent, in reporting results of water and wastewater analyses.

NATURAL OUTLET. Any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

NPDES PERMIT. Any permit or equivalent document or requirements issued by the Administrator, or, where appropriate, by the Director, after enactment of the Federal Water Pollution Control Amendments of 1972, to regulate the discharge of pollutants pursuant to § 402 of the Act (33 U.S.C. § 1342).

OPERATION AND MAINTENANCE. Those actions, materials, and services necessary for the proper functioning of treatment and collection facilities over their useful life.

pH. The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

POPULATION EQUIVALENT. A term used to evaluate the impact of industrial or other waste on a treatment works or stream. One POPULATION EQUIVALENT is 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 3 parameters. Impact on a stream is the higher of the BOD and suspended solids parameters.

ppm. Parts per million by weight.

PRETREATMENT. The treatment of wastewaters from sources before introduction into the wastewater treatment works.

PROPERLY SHREDDED GARBAGE. 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 1/2 inch in any dimension.

PUBLIC SEWER. A sewer main in which all owners of abutting properties have equal rights, and is controlled by public authority.

REPLACEMENT. 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 the works were designed and constructed. The term "operation and maintenance" includes REPLACEMENT.

RESIDENTIAL USER. Any single-family residence, or any single-family quarters as a part of a duplex, apartment house, or multiple-family dwellings and complexes.

SANITARY SEWER. A sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

SEWAGE. 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. Any arrangement of devices and structures used for treating sewage.

SEWAGE WORKS. All facilities for collection, pumping, treating, and disposal of sewage.

SEWER. A pipe or conduit for carrying sewage.

SEWER RATE. A charge for the use of and services supplied by the sewage works of the city. This charge shall consist of a “user charge” and a “debt service charge” as those terms are defined in this section.

SLUG. 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 15 minutes more than 5 times the average 24-hour concentration or flow during normal operation.

STORM DRAIN or STORM SEWER. A sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

SUSPENDED SOLIDS. 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. 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 benefitted by discharge to the sanitary sewers and wastewater treatment facilities provided.

USEFUL LIFE. The estimated period during which the treatment works will be operated and is anticipated to exceed 30 years from the date of start-up of any wastewater facilities constructed with a federal grant.

USER CHARGE. A charge levied on users of treatment works for the cost of operation and maintenance, including replacement.

USER CLASS. The type of user, either “residential,” “commercial,” or “industrial,” as defined by this section.

WASTEWATER. 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. The structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

WASTEWATER TREATMENT WORKS. 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. A channel in which a flow of water occurs, either continuously or intermittently.

(1983 Code, § 21-16) (Ord. 2180, passed 12-6-1973; Am. Ord. 2273, passed 10-4-1979; Am. Ord. 2276, passed 12-6-1979; Am. Ord. 2528, passed 11-10-1988; Am. Ord. 2888, passed 6-8-2000)

#### § 51.002 UNLAWFUL DEPOSIT OF WASTE OR GARBAGE.

It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner on public or private property within the city, or in any area under the jurisdiction of the city, any human or animal excrement, garbage, or other objectionable waste.

(1983 Code, § 21-17) (Ord. 2273, passed 10-4-1979) Penalty, see § 10.99

#### § 51.003 DISCHARGE OF SEWAGE TO NATURAL OUTLET PROHIBITED.

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

(1983 Code, § 21-18) (Ord. 2273, passed 10-4-1979) Penalty, see § 10.99

§ 51.004 USE OF PUBLIC SEWERS REQUIRED; EXCEPTIONS.

(A) The owner of each house, building, or property used for human occupancy, employment, recreation, or other purposes, situated within the city and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the city, is hereby required at his or her expense to install suitable toilet facilities therein, and to connect those facilities directly with the proper public sewer in accordance with the provisions of this chapter, within 90 days after date of notice by certified letter, return receipt requested, to do so; provided, that the public sewer is within 200 feet of the property line, and provided capacity is available in downstream sewers, lift stations, pumping stations, force mains, and the sewage treatment plant, including pollutant removal capacity for BOD and suspended solids.

(B) In the event a connection to the public sanitary or combined sewer of the city would cause an unreasonable financial hardship on the individual, as determined by the City Council in its sole discretion, on a case by case basis, then, in that event, a connection would not be required.

(1983 Code, § 21-19) (Ord. 2273, passed 10-4-1979; Am. Ord. 2953, passed 12-6-2001) Penalty, see § 10.99

§ 51.005 SEWER SERVICE POLICY.

(A) The City shall only maintain city-owned sewer mains. The sewer line from the residence or business to the city-owned main shall be the responsibility of the property owner.

(B) No excavation work can be performed on city streets until a \$400 non-refundable excavation permit is issued by the City Clerk's office. The permit must be obtained by the person doing the excavation. Proof of public liability insurance must be provided, and the license number of the plumber must be provided.

(C) Any material excavated from a paved area of city property must be removed and replaced with 1-inch clean rock. (Service lines may be embedded in compacted sand before backfilling with rock.) Sewer tap or sewer line installation or repair must be inspected and approved by the Street Superintendent or his designee, before back filling.

(D) Pavement areas are to be saw cut before excavation to prevent excessive damage to the pavement.

(E) If a new sewer tap is to be made, an inspection fee of \$150 must be paid to the City Clerk's office before work begins.

(F) Sewer taps on city-owned mains and installation of private sewer lines on city-owned property are to be performed only by licensed plumbers.

(G) Upon discovery of a sewer leak on the property owner's sewer lateral shall be repaired within 7 days from the day of notification by the City Clerk's Office. After the seventh day, a fine of \$100 per day will be assessed.

(H) Issues not specifically addressed in this policy shall be resolved by the City Clerk and the Street Superintendent or his designee, with the consent of the City Administrator.

(Ord. 3518, passed 5-17-2018)

## **CONSTRUCTION AND CONNECTIONS**

### **§ 51.015 CONNECTION PERMIT REQUIRED; APPLICATION.**

(A) Connection permit required.

(1) 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.

(2) Any permit application for sewer service to a major contributing industry, or any connection which will result in a discharge to the city sewer system of more than 1,500 gallons per day, shall be accompanied by a permit issued by the State Environmental Protection Agency.

(1983 Code, § 21-39)

(B) Permit classes; application.

(1) There shall be 2 classes of building sewer permits:

(a) Residential service; and

(b) Service to a commercial or an industrial user.

(2) In either case, the owner or his or her agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent.

(1983 Code, § 21-40)

(Ord. 2273, passed 10-4-1979; Am. Ord. 2528, passed 11-10-1988) Penalty, see § 10.99

### **§ 51.016 PERMIT FEES; DISPOSITION.**

(A) Permit fees generally.

(1) A permit and inspection fee shall be paid to the City Clerk at the time of application for the permit required by § 51.015 of this code.

(2) The minimum fee for permit and inspection for sewer connection for users within the city limits shall be \$150 for each single-family residential permit; for each additional single residential unit of a multiple-unit dwelling, an additional charge of \$50 per unit; for a commercial or industrial permit, a fee of \$300 for each building; for each additional establishment in a single commercial or industrial building, single-family apartments in a commercial building, or each room in motels, hotels, and nursing care facilities, an additional charge of \$50 per unit. Any prospective user not within the city limits shall pay a permit and inspection fee based on 2 times the above rates.

(3) The above minimum fees are subject to compliance with ordinances governing sewer connections and special assessment type sewer extensions. In case of conflict between existing ordinances and this chapter, the higher of the fee as computed by terms of each ordinance shall be paid.

(1983 Code, § 21-41) (Ord. 2273, passed 10-4-1979)



(B) Fees for 1<sup>st</sup> Street sewer. The Collector of Sewer Revenues, before issuing any permit to make connection to the 1<sup>st</sup> Street sewer, shall collect permits and inspection fees in the following sums.

(1) Within the city limits:

(a) Commercial use: \$500 tap-on fee and \$250 inspection fee; and

(b) Residential use: \$250 tap-on fee and \$125 inspection fee.

(2) Outside the city limits:

(a) Commercial use: \$1,000 tap-on fee and \$500 inspection fee; and

(b) Residential use: \$500 tap-on fee and \$250 inspection fee.

(1983 Code, § 21-42) (Ord. 2326, passed 10-8-1981)

(C) Fees for State Street sewer and Illinois Street sewer.

(1) Anyone desiring to receive a permit to tap the new State Street sewer shall pay to the City Clerk the sum of \$300.

(2) Before any permit shall issue to any party desiring to connect to the Illinois Street sewer installed in 1988 between Lake Avenue on the south and Pond Street on the north, the City Clerk (Collector of Sewer Revenues) shall collect a tap-on fee in the amount of \$225, and in addition, a permit and inspection fee in accordance with the schedule of permit and inspection fees set forth in division (A) of this section.

(1983 Code, § 21-43) (Ord. 2191, passed 10-10-1974; Am. Ord. 2452, passed 4-15-1986; Am. Ord. 2463, passed 9-4-1986)

(D) Disposition of funds. All funds received under the terms of this chapter and any other ordinance providing for tapping fees and permit and inspection fees shall be placed in a special fund to be disbursed by the City Council in the manner as it deems to be in the best interest of the sewerage system of the city.

(1983 Code, § 21-44) (Ord. 2259, passed 11-9-1978; Am. Ord. 2326, passed 10-8-1981)

#### § 51.017 BUILDING SEWER COSTS; OWNER RESPONSIBILITY.

All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(1983 Code, § 21-45) (Ord. 2273, passed 10-4-1979) Penalty, see § 10.99

#### § 51.018 OLD BUILDING SEWERS.

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

(1983 Code, § 21-46) (Ord. 2273, passed 10-4-1979) Penalty, see § 10.99

#### § 51.019 PIPE SPECIFICATIONS.

The building sewer shall be cast iron soil pipe, ASTM specification (A74) or equal; or vitrified clay sewer pipe, ASTM specification (C-130) or equal. Polyvinyl chloride (PVC) pipe conforming to ASTM specifications D-2672, D-2729, D-3033, or D-3034 with joints conforming to ASTM C-2564 or D-1869 and acrylonitrile butadiene

styrene (ABS) pipe conforming to ASTM D-2680 with type SC or OR joints, will be acceptable materials. Joints shall be tight and waterproof. Any part of the building sewer that is located within 10 feet of a water service pipe shall be laid in a separate trench and at such an elevation that the top of the sewer is at least 18 inches below the bottom of the water service pipe. If it is impossible to obtain a horizontal separation of at least 10 feet, and a vertical separation of at least 18 inches, as stipulated above, the sewer shall be constructed of mechanical gasketed slip-joint poly vinyl chloride or water quality pipe and be tested to assure watertightness. Cast iron pipe with leaded joints may be required by the Superintendent where the building sewer is exposed to damage by tree roots.

(1983 Code, § 21-47) (Ord. 2273, passed 10-4-1979) Penalty, see § 10.99

§ 51.020 BUILDING SEWERS; SIZE, SLOPE, AND ELEVATION.

(A) Size and slope of building sewers. The size and slope of the building sewer shall be subject to the approval of the Superintendent.

(1) Except as provided below, the diameter shall not be less than 6 inches. The slope of the 6-inch pipe shall not be less than 1 foot per 100 feet. For larger sizes of pipe, the minimum slopes shall be according to all state and local regulations. Four-inch diameter building sewer may be used, provided that:

- (a) A 6 by 4 reducer is installed at the service connection;
- (b) It is installed at a slope of not less than 1 foot per 100 feet; and
- (c) It serves a single-family dwelling.

(2) Multiple-housing units, commercial, and industrial building sewers shall be not less than 6-inch diameter.

(3) The pipe which allows leachate, as defined in § 50.01 of this code, to be introduced into the sewage disposal plant of the city, shall not be less than 2 inches in diameter.

(1983 Code, § 21-48)

(B) Elevation of building sewers; alignment; lifters.

(1) 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 3 feet of any such 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.

(2) In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by the drain shall be lifted by approved artificial means and discharged to the building sewer.

(1983 Code, § 21-49)

(Ord. 2273, passed 10-4-1979; Am. Ord. 3031, passed 6-5-2003) Penalty, see § 10.99

§ 51.021 RUNOFF AND GROUND WATER CONNECTIONS PROHIBITED.

(A) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain which, in turn, is

connected directly or indirectly to a public sanitary sewer. These types of connections may be made to sewers designated as combined sewers.

(B) All new construction tributary to the combined sewer system shall be designed and constructed to minimize or delay the inflow contribution to the combined sewer system.

(C) Any new building domestic waste connection to the city's sanitary sewer system shall be distinct from the building inflow connection to facilitate disconnection of that inflow connection if and when a storm sewer becomes available.

(1983 Code, § 21-50) (Ord. 2273, passed 10-4-1979; Am. Ord. 2888, passed 6-8-2000) Penalty, see § 10.99

#### § 51.022 EXCAVATIONS AND BACKFILLING.

(A) 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.

(B) All excavations for building sewer installation shall be adequately guarded with barricades and lights so 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 city and any other governmental agency affected.

(1983 Code, § 21-51) (Ord. 2273, passed 10-4-1979; Am. Ord. 3031, passed 6-5-2003) Penalty, see § 10.99

#### § 51.023 JOINTS AND CONNECTIONS; STANDARDS.

(A) Joints and connections. All joints and connections shall be made gastight and watertight.

(1983 Code, § 21-52)

(B) Location of connections.

(1) The connection of the building sewer into the public sewer main shall be made at the "Y" branch, if such a branch is available at a suitable location. If the public sewer is 12 inches in diameter or less, and no properly located Y branch is available, the owner shall, at his or her expense, install a Y branch in the public sewer at the location specified by the Superintendent. Where the public sewer is greater than 12 inches in diameter, and no properly located Y branch is available, a neat, machined hole may be cut into the public sewer to receive the building sewer, with entry in the downstream direction at an angle of about 45 degrees. A 45-degree ell may be used to make this connection with the spigot end cut so as not to extend past the inner surface of the public sewer. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer, but no higher than a point 1/2 the vertical distance between the invert and the crown of the sewer. A smooth, neat joint shall be made, and the connection made secure and watertight by encasement in concrete. Special fittings may be used for the connection only when approved by the Superintendent. Manholes shall be constructed at any junction of an 8-inch diameter or larger building sewer into a public sewer.

(2) No building sewer connection shall be made in a manhole unless the manhole is designed and constructed to receive that building sewer.

(1983 Code, § 21-53)

(Ord. 2273, passed 10-4-1979) Penalty, see § 10.99

§ 51.024 INSPECTIONS.

The applicant for a building sewer permit under this subchapter 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 or her representative between 8:00 a.m. and 4:00 p.m., Monday through Friday, except holidays.

(1983 Code, § 21-54) (Ord. 2273, passed 10-4-1979) Penalty, see § 10.99

§ 51.025 MULTIPLE USERS OF TAP RESTRICTED.

No 2 users, either residential or commercial, may use the same tap unless given permission by the city and, in no event, until the applicable tap fee has been paid.

(1983 Code, § 21-56) (Ord. 2180, passed 12-6-1973) Penalty, see § 10.99

**USE OF PUBLIC SEWERS**

§ 51.040 PROHIBITED DISCHARGES.

(A) Prohibited discharges. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes:

(1) Any liquid or vapor having a temperature higher than 150°F (65°C);

(2) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32°F and 150°F (0°C and 65°C);

(3) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of 3/4 horsepower or greater shall be subject to the review and approval of the Superintendent;

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

(5) (a) Any waters or wastes containing in excess of the following concentrations of objectionable or toxic substances.

Waste or Chemical	Concentration
Ammonia	40.0 mg/l
Arsenic	0.25 mg/l
Barium	2.0 mg/l
Boron	1.0 mg/l
Cadmium	0.15 mg/l
Chlorine demand	30.0 mg/l
Chromium (hexavalent)	0.1 mg/l
Chromium (trivalent)	1.0 mg/l

Copper	0.5 mg/l
Cyanide	0.1 mg/l
Fluoride	2.5 mg/l
Iron (total)	2.0 mg/l
Lead	0.2 mg/l
Manganese	1.0 mg/l
Nickel	1.0 mg/l
Oil and grease	100.0 mg/l
Phenols	0.1 mg/l
Selenium	1.0 mg/l
Silver	0.1 mg/l
Triethanolamine	0.1 mg/l
Total toxic organics	4.6 mg/l
Zinc	1.0 mg/l

(b) The concentration allowed for leachate discharge only of the following substances is in the following amounts. This increase shall be for the introduction of leachate only and for no other purpose whatsoever.

Leachate Discharge Substance	Concentration
Arsenic	1.0 ppm
Barium	5.0 ppm
Boron	25.0 ppm
Iron	750.00 ppm

(6) Any waters or wastes containing phenols or other taste- or odor-producing substances, in concentrations exceeding limits which may be established by the Superintendent 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;

(7) Any radioactive wastes or isotopes of a half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable state or federal regulations;

(8) Any waters or wastes having a pH in excess of 10.5;

(9) Materials which exert or cause:

(a) 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);

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

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

(d) Unusual volume of flow or concentration of wastes constituting slugs, as defined herein.

(10) Water or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such a degree that the sewage treatment plant effluent cannot meet the requirements of the current National Pollutant Discharge Elimination System permit (NPDES) or other agencies having jurisdiction over discharge to the receiving waters.

(1983 Code, § 21-68)

(B) Prohibited discharges to public sewers. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(1) Any gasoline, benzene, naphtha, fuel oil, waste engine oil, or other flammable or explosive liquid, solid, or gas;

(2) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction 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;

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

(4) Solid or viscous substances in quantities or of a 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, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, and the like, either whole or ground by garbage grinders;

(5) Any mercury or any of its compounds in excess of 0.0005 mg/l as Hg; or

(6) Any waste containing detectable levels of cyanide at any time except as permitted with the approval of the State Environmental Protection Agency as specified in the Water Pollution Regulations of this state, Rule 703.

(1983 Code, § 21-69)

(Ord. 2273, passed 10-4-1979; Am. Ord. 2528, passed 11-10-1988; Am. Ord. 3031, passed 6-5-2003) Penalty, see § 10.99

#### § 51.041 DISCHARGE OF UNPOLLUTED WATERS RESTRICTED.

(A) 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 sewer which is designated a sanitary sewer.

(B) Storm water and all other unpolluted drainage shall be discharged to sewers which are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent, to a storm sewer, combined sewer, or natural outlet, except as provided in division (C) of this section.

(C) No person or other entity shall discharge sanitary or industrial waters into the storm sewers on Ferdon Street within the city limits.

(D) All inflow sources on the combined sewer system shall be connected to a storm sewer within 12 months of being notified in writing by the city that a storm sewer is available.

(1983 Code, § 21-70) (Ord. 2262, passed 12-7-1978; Am. Ord. 2273, passed 10-4-1979; Am. Ord. 2888, passed 6-8-2000) Penalty, see § 10.99

§ 51.042 DISCHARGES SUBJECT TO REVIEW AND APPROVAL.

(A) The admission into the public sewers of any of the following waters or wastes shall be subject to the review and approval of the Superintendent:

- (1) Having a 5-day biochemical oxygen demand greater than 350 milligrams per liter;
- (2) Containing more than 415 milligrams per liter of suspended solids;
- (3) Containing any quantity of substances having the characteristics described in § 51.040(A) of this code;

or

(4) Having an average daily flow greater than 2% of the average daily sewage flow of the wastewater treatment plant.

(B) Acceptance of wastes not meeting the above stated requirements alone or in combination with the domestic sanitary sewage shall not cause noncompliance of the treatment works discharge with the city's current NPDES permit and the State Pollution Control Board Rules and Regulations.

(C) Where necessary, in the opinion of the Superintendent, the owner of any property discharging industrial waste shall provide, at his or her expense, preliminary treatment as may be necessary to:

- (1) Reduce the biochemical oxygen demand to 350 milligrams per liter;
- (2) Reduce objectionable characteristics or constituents to within the maximum limits provided for in § 51.040(A) of this code; or
- (3) Control the quantities and rates of discharge of those waters or wastes.

(D) Plans, specifications, and any other pertinent information relating to proposed pretreatment facilities shall be submitted for the approval of the Superintendent and of the Environmental Protection Agency of the state, and no construction of the facilities shall be commenced until these approvals are obtained in writing. The Superintendent shall annually review the location of, and impacts from, nondomestic sources on combined sewer overflows, and shall, if necessary, recommend that the city modify this code of ordinances to control specific pollutants from those sources.

(1983 Code, § 21-71) (Ord. 2273, passed 10-4-1979; Am. Ord. 2888, passed 6-8-2000) Penalty, see § 10.99

§ 51.043 GREASE, OIL, AND SAND INTERCEPTORS.

(A) Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease, or any flammable wastes, sand, or other harmful ingredients; except that these interceptors shall not be required for private living quarters or dwelling units.

(B) All interceptors shall be of a type and capacity approved by the Superintendent and shall be located as to be readily and easily available for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of

substantial construction, watertight, and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight.

(C) Where installed, all grease, oil, and sand interceptors shall be maintained by the owner, at his or her expense, in continuously efficient operation at all times.

(1983 Code, § 21-72) (Ord. 2273, passed 10-4-1979) Penalty, see § 10.99

§ 51.044 PRETREATMENT REQUIRED IN CERTAIN INSTANCES.

(A) (1) Wastes not in conformance with §§ 51.040(A)(8), 51.040(B)(3), and 51.042 of this code shall require pretreatment of compatible pollutants.

(2) Leachate may be required to be treated subject to the terms and conditions of agreements between the city and private firms.

(B) In addition to the prohibitions set forth in § 51.040 of this code, the pretreatment standard for incompatible pollutants introduced into a treatment works by a major contributing industry shall be that established by a promulgated effluent limitations guideline defining best practicable control technology currently available pursuant to §§ 301(b) and 304(b) of the Act (33 U.S.C. §§ 1311(b) and 1314(b)). Compliance with pretreatment standards shall be as provided for by the Act and subsequent rules and regulations as promulgated by the Administrator.

(1983 Code, § 21-73) (Ord. 2273, passed 10-4-1979; Am. Ord. 3031, passed 6-5-2003) Penalty, see § 10.99

§ 51.045 PRELIMINARY TREATMENT OR FLOW-EQUALIZING FACILITIES; MAINTENANCE.

Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his or her expense.

(1983 Code, § 21-74) (Ord. 2273, passed 10-4-1979) Penalty, see § 10.99

§ 51.046 CONTROL MANHOLES.

The installation of manholes on private lines shall be at the discretion of the private facility.

(1983 Code, § 21-75) (Ord. 2273, passed 10-4-1979; Am. Ord. 3031, passed 6-5-2003)

§ 51.047 WASTE SAMPLING AND ANALYSIS.

The measurements, tests, and analyses of the leachate shall be as determined pursuant to the private agreement between the city and the facility.

(1983 Code, § 21-76) (Ord. 2273, passed 10-4-1979; Am. Ord. 2528, passed 11-10-1988; Am. Ord. 3031, passed 6-5-2003) Penalty, see § 10.99

§ 51.048 SPECIAL AGREEMENTS.

No statement contained in this subchapter shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment subject to payment therefor in accordance with §§ 51.105et seq. of this code.

(1983 Code, § 21-77) (Ord. 2273, passed 10-4-1979)



§ 51.049 MAJOR CONTRIBUTING INDUSTRY STATUS; REPORTING.

(A) The Superintendent shall notify in writing any industrial user of its status as a major contributing industry. Industries notified are required to submit to the Superintendent a process waste stream description, listing process waste sources and volumes of process waste discharge from individual units within 6 months of the date of the notice. The submission shall include a listing of any chemicals utilized in the process which are discharged to the municipal sewer system. All chemicals discharged shall be accompanied by material safety data sheets obtained through the chemical manufacturer.

(B) A designated major contributing industry may request a change of status to a nonmajor industry on the basis that its process waste discharge is in compliance with §§ 51.040et seq. of this code.

(1983 Code, § 21-78) Penalty, see § 10.99

§ 51.050 INDUSTRIAL MONITORING REPORT.

Any industrial monitoring report required of a major contributing industry pursuant to § 51.047 of this code shall be in substantially the following form.

“Industrial Monitoring Report

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Report period: From \_\_\_\_\_ To \_\_\_\_\_

Estimated process waste discharge: \_\_\_\_\_ gallons (total for period)

Estimated maximum day discharge: \_\_\_\_\_ gallons

Estimated maximum hour discharge: \_\_\_\_\_ gallons

The undersigned has reviewed the process waste analysis reports attached hereto and to the best of his or her knowledge advises the results are representative of the nature and character of the discharge for the period.

\_\_\_\_\_  
\_\_\_\_\_

(type name and title)

The industry (has, does not have) intentions of changing its waste characteristics in the next 6 months.

Anticipated changes are: \_\_\_\_\_.”

(1983 Code, § 21-79) (Ord. 2528, passed 11-10-1988) Penalty, see § 10.99

**PRIVATE SEWAGE DISPOSAL**

§ 51.065 PRIVATE FACILITIES RESTRICTED.

Except as provided in this subchapter, 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.

(1983 Code, § 21-89) (Ord. 2273, passed 10-4-1979) Penalty, see § 10.99

§ 51.066 PRIVATE SYSTEM REQUIRED WHERE PUBLIC SEWER UNAVAILABLE.

Where a public sanitary or combined sewer is not available under the provisions of § 51.004 of this code, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this subchapter.

(1983 Code, § 21-90) (Ord. 2273, passed 10-4-1979) Penalty, see § 10.99

§ 51.067 CONSTRUCTION PERMIT.

(A) Permit required prior to construction. Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the Superintendent.

(B) Application. The application for this permit shall be made on a form furnished by the City Clerk, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the Superintendent.

(C) Fee. A permit and inspection fee of \$25 shall be paid to the City Clerk at the time the application is filed.

(D) Inspection and approval prerequisite. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He or she 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 60 hours of the receipt of notice by the Superintendent.

(E) Issuance restricted when lot is under certain size. 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.

(1983 Code, § 21-91) (Ord. 2273, passed 10-4-1979) Penalty, see § 10.99

§ 51.068 COMPLIANCE WITH STATE PUBLIC HEALTH STANDARDS 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.

(1983 Code, § 21-92) (Ord. 2273, passed 10-4-1979) Penalty, see § 10.99

§ 51.069 DISCHARGE TO PUBLIC SEWER OR NATURAL OUTLET PROHIBITED.

No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.

(1983 Code, § 21-93) (Ord. 2273, passed 10-4-1979) Penalty, see § 10.99

§ 51.070 OPERATION AND MAINTENANCE.

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the city.

(1983 Code, § 21-94) (Ord. 2273, passed 10-4-1979) Penalty, see § 10.99

§ 51.071 ABANDONMENT; CONNECTION TO PUBLIC SEWER.

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 in compliance with § 51.004 of this code, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned by cleaning all sludges and filled with bank run gravel or dirt.

(1983 Code, § 21-95) (Ord. 2273, passed 10-4-1979) Penalty, see § 10.99

§ 51.072 ADDITIONAL COUNTY, STATE, OR FEDERAL REQUIREMENTS APPLY.

Nothing contained in this subchapter shall be construed to interfere with any additional requirements that may be imposed by the health office of the county or the State Environmental Protection Agency or the U.S. Environmental Protection Agency.

(1983 Code, § 21-96) (Ord. 2273, passed 10-4-1979)

**ADMINISTRATION AND ENFORCEMENT**

§ 51.085 DAMAGE TO SEWAGE WORKS PROHIBITED.

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 sewage works. Any person violating these provisions shall be subject to immediate arrest under charge of criminal damage to public property.

(1983 Code, § 21-20) (Ord. 2273, passed 10-4-1979) Penalty, see § 10.99

§ 51.086 VIOLATIONS A MISDEMEANOR; LIABILITY; WATER SHUTOFF.

(A) Any person violating any of the provisions or failing to comply with any of the requirements of this chapter shall be guilty of a misdemeanor punishable as a class B misdemeanor under the Unified Code of Corrections of the state.

(B) Any person violating any of the provisions of this chapter shall become liable to the city for any expense, loss, or damage occasioned by the city, including attorney's fees by reason of the violation.

(C) Any person who violates any provision of this chapter, in addition to any other applicable fine, may have the water service of that user terminated.

(1983 Code, § 21-21) (Ord. 2259, passed 11-9-1978; Am. Ord. 2273, passed 10-4-1979) Penalty, see § 10.99

§ 51.087 RESERVED.

§ 51.088 COLLECTOR OF SEWER REVENUES.

(A) Office created; appointment; term. There is hereby created the office of Collector of Sewer Revenues of the city. The Collector shall be appointed annually by the Mayor by and with the consent of the City Council, and shall hold the office for 1 year and until his or her successor is appointed and qualified.

(B) Duties. The Collector of Sewer Revenues of the city shall bill sewer users and collect all sewer rents at a time designated by the ordinances of the city. He or she shall on the first day of each month pay to the City Treasurer all sewer rents and revenues collected by him or her during the preceding month, taking the receipt

of the City Treasurer therefor. He or she shall keep an accurate and complete list of all sewer users of the city, which list shall be corrected and revised at least quarterly.

(1983 Code, § 21-30)

**§ 51.089 RIGHT OF ENTRY.**

(A) The Superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this chapter. The Superintendent or his or her representatives shall have no authority to inquire into any processes, including metallurgical, chemical, oil, refining, ceramic, paper, or other industries, beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

(B) The Superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city 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 that easement. All entry and subsequent work, if any, on the easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

(1983 Code, § 21-31) (Ord. 2273, passed 10-4-1979) Penalty, see § 10.99

**§ 51.090 SAFETY RULES; LIABILITY.**

While performing the necessary work on private properties referred to in § 51.089(A) of this code, the Superintendent or duly authorized employees of the city 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 city employees and the city shall indemnify the company against loss or damage to its property by city employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as they may be caused by negligence or failure of the company to maintain safe conditions as required by this code or any applicable law or agreement.

(1983 Code, § 21-32) (Ord. 2273, passed 10-4-1979)

**RATES AND CHARGES**

**§ 51.105 ESTABLISHMENT.**

There shall be monthly rates and charges for the residential, commercial, and industrial users for the use of and services supplied by the sewage system of the city.

(1983 Code, § 21-108) (Ord. 2276, passed 12-6-1979)

**§ 51.106 USER CLASSES.**

For the purposes of determining sewer rates for the use of and services supplied by the sewerage system of the city, users of the system shall be divided into the following user classes:

- (A) User class I, residential users;
- (B) User class II, commercial users; and

(C) User class III, industrial users.

(1983 Code, § 21-109) (Ord. 2276, passed 12-6-1979)

§ 51.107 BILLING.

Charges for sewerage services shall be made each month. All bills for these services shall be rendered as of the first day of each month following the month for which the charges are made and shall be payable within 10 days after the rendition thereof, after which a penalty of 10% shall be collected as a part of the bill.

(1983 Code, § 21-110)

§ 51.108 DELINQUENT CHARGES.

In the event charges for sewerage services are not paid within 60 days after the rendition of the bill for those services, the charges shall be declared to be delinquent and thereafter the delinquent charges shall constitute liens upon the real estate upon or for which sewerage services have been supplied. The City Clerk is hereby directed to file sworn statements showing these delinquencies in the office of the Recorder of Deeds of the county, which shall be deemed notice of the lien for payment of the sewerage service; provided, however, that the City Clerk may refrain from filing such a statement of delinquencies if the city proposes to sue or shall have sued the occupant or user of the real estate in a civil action to recover the delinquent charges.

(1983 Code, § 21-111)

§ 51.109 SEWERAGE FUND.

The City Treasurer shall receive all revenues from the sewerage system and all other funds and monies incident to the operation of the system as the same may be delivered to him or her, and deposit the same in a separate fund designated as the "Sewerage Fund" of the city, and shall divide and administer the Sewerage Fund in every respect in the manner provided in the bond ordinance of the city. The City Treasurer shall establish a proper system of accounts and shall keep proper books, records, and accounts (separate from all other records and accounts) in which complete and correct entries shall be made of all transactions relating to the sewerage system.

(1983 Code, § 21-112)

§ 51.110 MINIMUM CHARGES.

(A) All users of the system shall pay a minimum bill of \$12.94 per month in 2021-2022, for each connection to the sewer system. The purpose of this minimum bill is to recover the fixed overhead costs associated with operating and maintaining the sewerage system. The minimum bill shall be determined by dividing the annual fixed overhead costs by the total number of system users.

(B) Users of the sewerage system of the city outside the city shall pay a user charge equal to the minimum bill of \$40.10 per month in 2021-2022 plus the base user rate of \$4.50 per 1,000 gallons, plus the surcharge stated in § 51.112 of this code.

(1983 Code, § 21-113) (Ord. 2276, passed 12-6-1979; Am. Ord. 2297, passed 12-4-1980; Am. Ord. 2566, passed 6-7-1990; Am. Ord. 2623, passed 1-9-1992; Am. Ord. 2662, passed 8-5-1993; Am. Ord. 2718, passed 8-10-1995; Am. Ord. 2748, passed 8-8-1996; Am. Ord. 2780, passed 8-7-1997; Am. Ord. 2838, passed 5-6-1999; Am. Ord. 3101, passed 4-7-2005; Am. Ord. 3144, passed 4-4-2006; Am. Ord. 3186, passed 5-1-2007; Am. Ord. 3219, passed 5-6-2008; Am. Ord. 3252, passed 6-2-2009; Am. Ord. 3288, passed 7-6-2010; Am. Ord. 3345, passed 7-10-2012; Am. Ord. 3424, passed 5-5-2015; Am. Ord. 3465, passed 5-19-2016; Am. Ord. 3545, passed 4-4-2019; Am. Ord. 3605, passed 5-6-2021) Penalty, see § 10.99

§ 51.111 BASE USER RATE.

Operation and maintenance costs which are proportional to the volume and strength of wastewater shall be recovered by a user charge directly related to the volume of wastewater generated by each user. This base user rate shall be equal to the annual flow proportional treatment costs divided by the annual billable flow as determined by water consumption or actual quantity of wastewater as recorded in a control manhole. The base user rate for all users of the system per 1,000 gallons of water used shall be \$4.50 in 2021-2022. Where water consumption does not reflect the actual quantity of wastewater tributary to the wastewater treatment works, the charges in 2021-2022 shall be \$4.50 per 1,000 gallons of wastewater as recorded in a control manhole required by § 51.046 of this code.

(1983 Code, § 21-114) (Ord. 2276, passed 12-6-1979; Am. Ord. 2566, passed 6-7-1990; Am. Ord. 2623, passed 1-9-1992; Am. Ord. 2662, passed 8-5-1993; Am. Ord. 2718, passed 8-10-1995; Am. Ord. 2748, passed 8-8-1996; Am. Ord. 2780, passed 8-7-1997; Am. Ord. 2838, passed 5-6-1999; Am. Ord. 3101, passed 4-7-2005; Am. Ord. 3144, passed 4-4-2006; Am. Ord. 3186, passed 5-1-2007; Am. Ord. 3219, passed 5-6-2008; Am. Ord. 3252, passed 6-2-2009; Am. Ord. 3288, passed 7-6-2010; Am. Ord. 3345, passed 7-10-2012; Am. Ord. 3424, passed 5-5-2015; Am. Ord. 3465, passed 5-19-2016; Am. Ord. 3545, passed 4-4-2019; Am. Ord. 3605, passed 5-6-2021)

§ 51.112 SURCHARGE FOR EXCESSIVE STRENGTH WASTES.

When the average concentration of BOD exceeds 350 mg/l, and/or suspended solids exceeds 415 mg/l, a surcharge shall be added to the base user rate. The surcharge shall be calculated by dividing the annual treatment costs associated with treatment of BOD or suspended solids by the current average annual loading to the treatment plant. This surcharge shall be equal to \$0.73/lb BOD and/or \$0.61/lb of suspended solids in excess of the limit in 2021-2022. No credit shall be given for a waste where the BOD or suspended solids are less than the limit. All measurements, tests, and analysis of characteristics of water and wastes to determine the surcharge shall be conducted in conformance with § 51.047 of this code.

(1983 Code, § 21-115) (Ord. 2276, passed 12-6-1979; Am. Ord. 2566, passed 6-7-1990; Am. Ord. 2623, passed 1-9-1992; Am. Ord. 2662, passed 8-5-1993; Am. Ord. 2718, passed 8-10-1995; Am. Ord. 2748, passed 8-8-1996; Am. Ord. 2780, passed 8-7-1997; Am. Ord. 2838, passed 5-6-1999; Am. Ord. 3101, passed 4-7-2005; Am. Ord. 3144, passed 4-4-2006; Am. Ord. 3186, passed 5-1-2007; Am. Ord. 3219, passed 5-6-2008; Am. Ord. 3252, passed 6-2-2009; Am. Ord. 3288, passed 7-6-2010; Am. Ord. 3345, passed 7-10-2012; Am. Ord. 3424, passed 5-5-2015; Am. Ord. 3465, passed 5-19-2016; Am. Ord. 3545, passed 4-4-2019; Am. Ord. 3605, passed 5-6-2021)

§ 51.113 EXTRANEIOUS SYSTEM FLOWS; OPERATION, MAINTENANCE, AND REPLACEMENT CHARGES.

(A) All users of the system shall pay a charge for operation, maintenance, and replacement of treatment facilities for storm flows and other extraneous system flows. The charges have been based on recovery of revenue by user class based on consideration of area and storm flows generation.

(B) Each user of a user class shall pay the following rate:

- (1) User class I: \$18.08/month (2021-2022);
- (2) User class II: \$27.01/month (2021-2022); and
- (3) User class III: \$89.19/month (2021-2022).

(1983 Code, § 21-116) (Ord. 2276, passed 12-6-1979; Am. Ord. 2566, passed 6-7-1990; Am. Ord. 2623, passed 1-9-1992; Am. Ord. 2662, passed 8-5-1993; Am. Ord. 2718, passed 8-10-1995; Am. Ord. 2748, passed 8-8-

1996; Am. Ord. 2780, passed 8-7-1997; Am. Ord. 2838, passed 5-6-1999; Am. Ord. 3101, passed 4-7-2005; Am. Ord. 3144, passed 4-4-2006; Am. Ord. 3186, passed 5-1-2007; Am. Ord. 3219, passed 5-6-2008; Am. Ord. 3252, passed 6-2-2009; Am. Ord. 3288, passed 7-6-2010; Am. Ord. 3345, passed 7-10-2012; Am. Ord. 3424, passed 5-5-2015; Am. Ord. 3465, passed 5-19-2016; Am. Ord. 3545, passed 4-4-2019; Am. Ord. 3605, passed 5-6-2021) Penalty, see § 10.99

§ 51.114 PERIODIC USER CHARGE.

Periodic users of the sewerage system, such as, but not limited to, septage haulers who use the treatment plant as a disposal site, shall be charged \$58.86 per 1,000 gallons with a minimum bill of \$58.86 in 2021-2022.

(1983 Code, § 21-117) (Ord. 2276, passed 12-6-1979; Am. Ord. 2566, passed 6-7-1990; Am. Ord. 2623, passed 1-9-1992; Am. Ord. 2662, passed 8-5-1993; Am. Ord. 2718, passed 8-10-1995; Am. Ord. 2748, passed 8-8-1996; Am. Ord. 2780, passed 8-7-1997; Am. Ord. 2838, passed 5-6-1999; Am. Ord. 3101, passed 4-7-2005; Am. Ord. 3144, passed 4-4-2006; Am. Ord. 3186, passed 5-1-2007; Am. Ord. 3219, passed 5-6-2008; Am. Ord. 3252, passed 6-2-2009; Am. Ord. 3288, passed 7-6-2010; Am. Ord. 3345, passed 7-10-2012; Am. Ord. 3424, passed 5-5-2015; Am. Ord. 3465, passed 5-19-2016; Am. Ord. 3545, passed 4-4-2019; Am. Ord. 3605, passed 5-6-2021)

§ 51.115 MULTIPLE USERS OF SINGLE METER; ADDITIONAL CHARGE.

In the event the city shall permit more than 1 consumer to be serviced through 1 meter, an additional charge of \$31.06 per customer in 2021-2022 shall be added to the monthly bill.

(1983 Code, § 21-117.1) (Ord. 2718, passed 8-10-1995; Am. Ord. 2748, passed 8-8-1996; Am. Ord. 2838, passed 5-6-1999; Am. Ord. 3101, passed 4-7-2005; Am. Ord. 3144, passed 4-4-2006; Am. Ord. 3186, passed 5-1-2007; Am. Ord. 3219, passed 5-6-2008; Am. Ord. 3252, passed 6-2-2009; Am. Ord. 3288, passed 7-6-2010; Am. Ord. 3345, passed 7-10-2012; Am. Ord. 3424, passed 5-5-2015; Am. Ord. 3465, passed 5-19-2016; Am. Ord. 3545, passed 4-4-2019; Am. Ord. 3605, passed 5-6-2021)

§ 51.116 ANNUAL AUDIT; REVISION OF CHARGES.

The city shall independently audit operation, maintenance, and debt service costs for the wastewater facilities, review sewer rates and charges annually, and revise sewer rates and charges periodically to reflect actual treatment works operation and maintenance costs and the cost of debt services. The city shall also annually review user charges and revise them as necessary to insure that total user charges for each user class are proportional to usage of the wastewater facilities of the city.

(1983 Code, § 21-118) (Ord. 2276, passed 12-6-1979; Am. Ord. 2297, passed 12-4-1980)

§ 51.117 USERS NOT USING CITY WATER; SEWAGE METER.

All users of the sewerage system who do not use the water services of the city shall be required to install a metering device approved by the Superintendent which records the total sewage flow for the purpose of determining the basis for sewer rates as provided by § 51.111 of this code.

(1983 Code, § 21-119) (Ord. 2297, passed 12-4-1980) Penalty, see § 10.99

# EXAMPLE

## USER CHARGE ORDINANCES

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# CHAPTER 10

## WASTEWATER SERVICE CHARGES

### SECTION:

12-10-1: Basis for Wastewater Service Charges

12-10-2: Measurements Of Flow

12-10-3: Rates For Sewer Service

12-10-4: Computation Of Wastewater Service Charges

12-10-5: Access To Records

12-10-6: Appeals

12-10-7: Accounting

### **12-10-1: BASIS FOR WASTEWATER SERVICE CHARGES:**

The wastewater service charges for the use of and for service supplied by the wastewater facilities of the village shall consist of a basic user charge to pay expenses of operation, maintenance and replacement of the system; a fixed debt service charge; and a variable debt service rate and a surcharge in accordance with the sum of the charges developed from data outlined in the report of Engineering & Associates, Some Town, Illinois, dated January 2000, said report being incorporated herein by reference.

#### (A) Basic User Charge:

1. The basic user charge shall be based on water usage as recorded by water meters and/or sewage meters for wastes having the following normal volume and concentrations:

(a) A five (5) day, twenty degree centigrade (20°C) biochemical oxygen demand (BOD) of two hundred milligrams per liter (200 mg/l).

(b) A suspended solids (SS) content of two hundred fifty milligrams per liter (250 mg/l).

2. The basic user charge shall consist of operation and maintenance costs plus replacement and shall be computed as follows:

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

(b) Proportion the estimated costs to wastewater facility categories by volume, suspended solids and BOD5.

(c) Estimate wastewater volume, pounds of SS and pounds of BOD5 to be treated.

(d) Compute unit costs for volume (dollars per 1,000 gallons), for suspended solids (dollars per pound) and BOD5 (dollars per pound).

(e) Compute costs per one thousand (1,000) gallons for volume, SS and BOD5 at normal sewage strength. Add these costs to determine the charge for operation and maintenance including replacement.

(B) Basic User Rate: A basic user rate (OM&R) shall be applied to all wastewater dischargers based upon metered water consumption to pay all costs of operation, maintenance, replacement expenses, and debt service of the sewerage system as follows:

Four dollars forty-five cents (\$4.45) per one thousand (1,000) gallons of metered water. This basic user rate shall automatically and without further action increase annually at the rate of an additional twenty-five cents (\$0.25) per one thousand (1,000) gallons of water metered commencing on March 1, 2022. Like increases of twenty-five cents (\$0.25) per thousand gallons of water metered shall occur on March 1 of each year thereafter, unless modified by action of the board of trustees.

(C) Debt Service Rate: A debt service rate consisting of a rate per one thousand (1,000) gallons of usage shall be determined by dividing the balance of the amount required to pay annual principal and interest requirements (after deducting revenue received from the fixed debt service charge), by the total number of gallons billed in the preceding fiscal year for sewer service.

(D) Surcharge: A surcharge will be levied upon all users whose wastes exceed the normal concentrations for BOD two hundred milligrams per liter (200 mg/l), and suspended solids two hundred fifty milligrams per liter (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 these parameters.

The wastewater service charge shall be reviewed annually by certified public accountants to the village in their annual audit report. It shall be revised periodically to reflect the change in debt service or a change in operation and maintenance including replacement costs. (Ord. 1053, 11-14-2006; amd. Ord. 1342, 2-8-2021)

#### **12-10-2: MEASUREMENTS OF FLOW:**

The volume of flow used for computing user charges and surcharges shall be metered water consumption read to the lowest even increments of one thousand (1,000) gallons.

(A) If the person discharging wastes into the public sewers procures any part, or all, of his water from sources other than the public waterworks system, all or part of which is discharged into the public sewers, the person shall, if directed by the superintendent, install and maintain, at his expense, water meters of a type approved by the superintendent for the purpose of determining the volume of water obtained from these sources.

(B) Devices for measuring the volume of waste discharged may be required by the superintendent if these volumes cannot otherwise be determined from the metered water consumption records.

(C) Metering devices for determining the volume of waste shall be installed, owned and maintained by the person. Following approval and installation, such meters may not be removed, unless service is canceled, without the consent of the superintendent. (Ord. 1053, 11-14-2006)

#### **12-10-3: RATES FOR SEWER SERVICE:**

The sewer user charges for the use of and for the service supplied by the wastewater facilities of the village shall consist of a basic user charge, a basic user rate, a debt service charge, a debt service rate, and a surcharge, if applicable, based upon the amount of water consumed, as shown by water meters, each bimonthly period as follows:

(A) Basic User Charge: A basic user charge per bimonthly period may be applied to each single metered or multiple unit served. The basic user charge may be referred to as a billing charge, based on the cost of billing and in this event the basic user rate would be reduced.

(B) Basic User Rate: A basic user rate (OM&R) shall be applied to all wastewater dischargers based upon metered water consumption to pay all costs of operation, maintenance, replacement expenses, and debt service of the sewerage system as follows:

Two dollars eighty cents (\$2.80) per one thousand (1,000) gallons of metered water. This basic user rate shall automatically and without further action increase annually at the rate of an additional ten cents (\$0.10) per one thousand (1,000) gallons of water metered commencing on March 1, 2007. Like increases of ten cents (\$0.10) per thousand gallons of water metered shall occur on March 1 of each year thereafter, unless modified by action of the board of trustees.

(C) Debt Service Charge: A debt service charge, consisting of a fixed charge of ten dollars (\$10.00) per bimonthly billing period, shall be applicable to each single unit connected to the system for the purpose of payment of a portion of the cost of the loan and/or bond obligations of the village. For a multiple connection user and a special multiple connection user, a debt service charge of ten dollars (\$10.00) per bimonthly billing period shall be applicable to each additional unit over the first unit served through a single connection.

(D) Debt Service Rate: A portion of the basic user rate shall be applied to debt service in the amount of fifty cents (\$0.50), which shall be placed in a special debt service account for the payment of any bond, loan, and/or debt obligation for water and wastewater system improvements.

(E) Surcharge: A surcharge, in addition to the above charges, will be levied upon all users whose discharges exceed the average concentrations for BOD5 and suspended solids as follows:

1. For biochemical oxygen demand (BOD5)     \$0.279/lb., BOD5
2. For suspended solids                             \$0.146/lb., SS

The surcharge per user shall be computed by the following formula:

$$S = V (0.00834)(A [BOD5-200] + B [SS-250])$$

Where,

- S                = Amount of surcharge in dollars
- V                = Wastewater volume in thousand gallons per billing period
- (0.00834)      = Unit weight of water x 10<sup>-6</sup> per thousand gallons
- A                = Unit charge for BOD5 per lb.
- BOD5           = 5 day biochemical oxygen demand, mg/l
- 200             = Allowable average BOD5 concentration, mg/l
- B                = Unit charge for SS per lb.
- SS               = Suspended solids, mg/l
- 250             = Allowable average SS concentration, mg/l

(F) Sanitary Sewer Lift Station Surcharge: Each new water and sewer billing account in any development served by a sanitary sewer lift station installed after the effective date hereof shall be charged and billed a surcharge at the rate of twenty-nine cents (\$0.29) per one thousand (1,000) gallons of water billed. This surcharge shall automatically and without further action increase annually at the rate of an additional two cents (\$0.02) per one thousand (1,000) gallons commencing on March 1, 2004. Like increases of two cents

(\$0.02) per thousand shall occur on March 1 of each year thereafter, unless modified by action of the board of trustees.

(G) Nonmetered Users: All nonmetered users of the wastewater facilities shall pay a minimum flat rate charge per bimonthly period which shall be adequate to cover the cost of operation, maintenance, replacement, and debt service obligations of the system, as determined by application of the basic user rate to allowable usage of seventeen thousand (17,000) gallons per bimonthly period.

(H) Minimum Bimonthly Rates And Charges: Each account per single meter shall pay a minimum amount equal to eight thousand (8,000) gallons of water usage per bimonthly period and no credit shall be provided for any unused sanitary sewer amount. (Ord. 1053, 11-14-2006)

#### **12-10-4: COMPUTATION OF WASTEWATER SERVICE CHARGES:**

The wastewater service charge for metered users shall be computed using the following formula:

$$WC = V \times (BUR + DSR + DSC) + S$$

Where,

- WC = Amount of wastewater service charge in dollars per billing period.
- V = Wastewater volume in thousand gallons per billing period.
- BUR = Basic user rate for operation, maintenance and replacement expense.
- DSR = Debt service rate for the variable charge applicable to payment of debt obligations.
- DSC = Debt service charge for the fixed charge applicable to payment of debt service.
- S = Amount of wastewater surcharge in dollars as computed by the surcharge formula.

(Ord. 1053, 11-14-2006)

#### **12-10-5: 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 for the purpose of making audit, examination, excerpts, and transcriptions thereof to ensure compliance with the terms of the special and general conditions to any state grant. (Ord. 1053, 11-14-2006)

#### **12-10-6: APPEALS:**

The method for computation of rates and service charges established for user charges shall be made available to a user within seven (7) business days of receipt of a written request for such. Any disagreement over the method used or in the computation thereof shall be remedied by the sewer and water committee within thirty (30) days after notification of a formal written appeal outlining the discrepancies. The decision of the sewer and water committee shall be final. (Ord. 1053, 11-14-2006)

#### **12-10-7: ACCOUNTING:**

The waterworks and sewerage fund is the principal accounting designation for all revenues received and expenses incurred in the operation of the waterworks and/or sewerage system. These revenues and expenses shall be accounted for so that water system revenues and expenses shall be recorded separately in the

waterworks account of the fund and revenues and expenses of the sewerage system shall be recorded separately in the sewerage account of the waterworks and sewerage fund.

In addition to the customary operating statements, the annual audit report shall also reflect the separate 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 data showing total gallons received at the wastewater plant for the current fiscal year.
- (B) Billing data to show total number of thousand gallons billed.
- (C) Debt service for the next succeeding fiscal year.
- (D) Number of users connected to the system.
- (E) Number of nonmetered users.
- (F) A list of users discharging nondomestic wastes (industrial users) and volume of waste discharged.

The annual audit reports shall contain such other financial information consistent with future guidelines to be promulgated by the U.S. environmental protection agency. (Ord. 1053, 11-14-2006)

# EXAMPLE

## USER CHARGE ORDINANCES

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# 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, (33U.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

\*Residential and \*\*Commercial Meters:

¾-in Meter:	\$2,500.00
1-in 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/1) and SS (250 mg/1). 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/1 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:

$$C = \$13.50 + (\$5.00 (VS2000))/1000$$

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 XXXX". 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 the 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)

#### SEWAGE SYSTEM

#### EXHIBIT “A”

#### CONFINED SPACE ENTRY POLICY

Confined Space Entry is a dangerous task that must be performed from time to time by the Public Works Department. This written policy is designed to identify these confined spaces and outline the procedures to be used when necessary to enter these spaces.

Confined Space Identification. A Confined Space is an environment which has limited openings for entry and exit, unfavorable natural ventilation, is not intended for continuous human occupancy and could reasonably be believed to have dangerous air contaminants.

The Confined Spaces within the Village include the following:

- (A) All Sanitary Sewer Manholes currently maintained by the Public Works Department.
- (B) All Sanitary Sewer Lift Stations currently maintained by the Public Works Department.
- (C) All Storm Sewer Structures currently maintained by the Public Works Department.

Safety and Health Procedures. NO Village employee may enter a Confined Space unless they have received training on the entry procedures established in this policy. Annual training will be required for all employees in the Public Works Department. This training may include assistance from representatives from the Illinois Department of Labor.

Entry Procedures are as Follows:

(A) Evaluate the Area. Block off the entrance to non-authorized personnel. Based on the size and shape of the space, the type of work to be done, the nature and contaminants which are present or may be introduced as a result of the work, and the number of employees who must enter the Confined Space, determine which additional entry precautions may be needed.

There must always be sufficient manpower available to perform the work without creating a hazardous situation.

(B) Provide Forced Ventilation. When it has been determined that a Confined Space must be entered for any reason, and occupied by a Village employee, the atmosphere within the Confined Space shall be continuously provided with forced ventilation. The ventilation equipment shall be set up and placed according to the manufacturer’s instructions.

(C) Test the Atmosphere. Using the atmospheric testing device provided by the Village, test the atmosphere of the Confined Space from top to bottom prior to entry. The employees shall use the device according to the manufacturer’s instructions. The device shall be field-tested and maintained for accuracy. Testing will be in three (3) foot intervals. Hazards may be at different levels of the space.

A Confined Space SHALL NOT be entered until the atmosphere has been tested and found to have the following characteristics:

An Oxygen content of at least 19.5%, but not greater than 23.5% by volume.

A Hydrogen Sulfide Level of less than 10 parts per million.

A Combustible Gas/Vapor Mixture of less than 10% of the lower explosive limit.

A Concentration of any Hazardous Chemical less than the limits listed in 29 CFR 1910 subpart Z.

Carbon Monoxide of not more than 35 parts per million.

(D) Space Entry. An attendant will be assigned to monitor activity inside and outside the space. At NO time should the attendant enter the space. The attendant will provide air monitoring at all times. The attendant shall be trained in CPR and first-aid.

With continuous forced ventilation properly in place and in operation, and after the atmosphere testing indicates a safe work environment, the employee may enter the space to perform the necessary work. The employee shall be equipped with a continuous atmospheric monitoring device at all times.

Should the monitoring device signal that the air quality has exceeded the regulatory safety limits, or upon attendant order, ALL EMPLOYEES shall IMMEDIATELY exit the Confined Space.

Re-entry may occur, if the contamination source is discontinued, and when the atmospheric testing device indicates an atmosphere within the regulatory safety limits.

If any Confined Space cannot be brought within the regulatory safety limits, the remaining maintenance or work required within the Confined Space area shall be performed by an experienced contractor properly equipped to work under hazardous conditions.

(E) Additional Entry Requirements. Additional precautions will be taken in certain circumstances, to eliminate the danger of a fall injury (a depth greater than five(5) feet) or a distance which would take more than 2 or 3 seconds to travel 15 to 20 feet, should the monitoring device signal a hazardous environment condition. During these cases, all Village Employees entering such Confined Spaces, shall be wearing D-Ring body harness provided by the Village, with a safety rope attached to the ring.

All manholes greater than a depth of five (5) feet will require the entry assistance of a TRI-POD entry system equipped with a FALL/BREAK system.

In the case of working in an open area, a safety rope of sufficient length shall be connected from the workers harness ring to the top-side employee.

THE TOP-SIDE EMPLOYEE SHALL REMAIN WITHIN EYE CONTACT WITH THE CONFINED SPACE WORKER AT ALL TIMES AND NOT BE ASSIGNED ANY OTHER DUTY.

Equipment Operation and Maintenance.

The following equipment shall be obtained and maintained by the Village for Confined Space Entry and shall be used by all employees after proper training:

D-RING BODY HARNESS and ROPE

TRI-POD FALL PROTECTION SYSTEM

ATMOSPHERIC MONITORING DEVICE - 4 GASES

VENTILATION EQUIPMENT

MSA BREATHING EQUIPMENT

ALL EQUIPMENT SHALL BE OPERATED AND MAINTAINED ACCORDING TO THE MANUFACTURER'S SPECIFICATIONS.

Air monitors shall be field zero tested before each use and receive bump test of known gases monthly.

Emergency Procedures.

When a Confined Space worker is alerted to a potential hazardous condition, he or she shall IMMEDIATELY EXIT THE CONFINED SPACE.

The space may not be re-entered until the contamination source has been discontinued or when the atmospheric testing device indicates an atmosphere within the regulatory safety limits.

IF A WORKER WITHIN A CONFINED SPACE SHOULD COLLAPSE AND BECOME UNCONSCIOUS, THE TOP-SIDE EMPLOYEE SHALL MAKE EVERY POSSIBLE EFFORT TO COMPLETE THE RESCUE, BUT UNDER NO CIRCUMSTANCE IS THE TOP-SIDE EMPLOYEE TO ENTER THE CONFINED SPACE TO ATTEMPT A RESCUE.

THE TOP-SIDE EMPLOYEE SHALL IMMEDIATELY CONTACT THE VILLAGE FIRE AND POLICE DEPARTMENTS, ALERTING THEM OF THE EXISTING CONDITION AND PROVIDE WHATEVER ASSISTANCE HE OR SHE CAN.

Training.

This policy shall be reviewed each year as part of an annual Confined Spaces Entry Training Program. A representative from the Illinois Department of Labor may be requested to provide employees additional or updated materials which may or may not require this policy to be amended.

Retaining will be provided if observation indicates a lack of knowledge. All employees will be CPR and first-aid trained.

Self Rescue.

Entrant recognizes a hazard and exits the space.

Attendant order the entrant to exit space.

Non-Entry Rescue.

Entrant wears a full body harness attached to tripod before entry. The attendant can remove the entrant without entering the space. This equipment will also provide fall protection.

Rescue by Others.

This is the most difficult because rescue in an oxygen deficient atmosphere should be within four to six minutes.

Contractor.

All work performed by contractors must be coordinated by the Village.

**APPENDIX #3**

VILLAGE OF \_\_\_\_\_  
PRIVATE WASTE DISPOSAL APPLICATION  
(SEPTIC TANK ETC.)

The undersigned, being the \_\_\_\_\_ of the property  
(owner, owner's agent)

located at \_\_\_\_\_ does hereby request a permit to install  
(Number, Street)

sanitary sewage disposal facilities to serve the \_\_\_\_\_ at the location.  
(residence, commercial building, etc.)

1. The proposed facilities include: \_\_\_\_\_ to be constructed in complete accordance with the plans and specifications attached hereunto as Exhibit "A".
2. The area of the property is [\_\_\_\_\_] square feet or [\_\_\_\_\_] square meters.
3. The name and address of the person or firm who will perform the work is \_\_\_\_\_
4. The maximum number of persons to be served by the proposed facilities is: \_\_\_\_\_
5. The location and nature of all sources of private or public water supply within one hundred (100) feet [30.5 meters] of any boundary of said property are shown on the plat attached hereunto as Exhibit "B".

IN CONSIDERATION OF THE GRANTING OF THIS PERMIT, THE UNDERSIGNED AGREES:

1. To furnish any additional information relating to the proposed work that shall be requested by the Village.
2. To accept and abide by all provisions of the Revised Code and of all other pertinent codes or ordinances that may be adopted in the future.
3. To operate and maintain the wastewater disposal facilities covered by this application in a sanitary manner at all times, in compliance with all requirements of the Village and at no expense to the Village.
4. To notify the Village at least twenty-four (24) hours to commencement of the work proposed, and again at least twenty-four (24) hours prior to the covering of any underground portions of the installation.

DATE: \_\_\_\_\_, 20\_\_\_\_ SIGNED: \_\_\_\_\_  
(APPLICANT)

ADDRESS OF APPLICANT: \_\_\_\_\_

CERTIFICATION BY CLERK

\$ \_\_\_\_\_ (Inspection Fee Paid) DATE: \_\_\_\_\_, 20\_\_\_\_  
\$ \_\_\_\_\_ (Connection Fee Paid) SIGNED: \_\_\_\_\_  
(CLERK)

APPLICATION APPROVED AND PERMIT ISSUED

DATE: \_\_\_\_\_, 20\_\_\_\_ SIGNED: \_\_\_\_\_  
(PUBLIC WORKS DIRECTOR OR SUPERINTENDENT)

**APPENDIX #4**

VILLAGE OF \_\_\_\_\_  
RESIDENTIAL OR COMMERCIAL BUILDING SEWER APPLICATION

The undersigned, being the \_\_\_\_\_ of the  
(owner, owner's agent)  
property located at \_\_\_\_\_ does hereby request a permit to install and  
(Number, Street)  
connect a building sewer to serve the \_\_\_\_\_ at said location.  
(residence, commercial building, etc.)

1. The following indicated fixtures will be connected to the proposed building sewer:

NUMBER	FIXTURES	NUMBER	FIXTURES
_____	Kitchen Sinks	_____	Kitchen Sinks
_____	Lavatories	_____	Lavatories
_____	Laundry Tubs	_____	Laundry Tubs
_____	Urinals	_____	Urinals

Specify Other Fixtures:

- The maximum number of persons who will use the above fixtures is \_\_\_\_\_.
- The name and address of the person or firm who will perform the proposed work is \_\_\_\_\_
- Plans and specifications for the proposed building sewer are attached hereunto as Exhibit "A".

IN CONSIDERATION OF THE GRANTING OF THIS PERMIT, THE UNDERSIGNED AGREES:

- To accept and abide by all provisions of the Revised Code, and of all other pertinent ordinances and codes that may be adopted in the future.
- To maintain the building sewer at no expense to the Village.
- To notify the Village when the building sewer is ready for inspection and connection to the public sewer, but before any portion of the work is covered.

DATE: \_\_\_\_\_, 20\_\_\_\_ SIGNED: \_\_\_\_\_  
(APPLICANT)

ADDRESS OF APPLICANT: \_\_\_\_\_

CERTIFICATION BY CLERK

\$ \_\_\_\_\_ (Inspection Fee Paid) DATE: \_\_\_\_\_, 20\_\_\_\_  
\$ \_\_\_\_\_ (Connection Fee Paid) SIGNED: \_\_\_\_\_  
(CLERK)

APPLICATION APPROVED AND PERMIT ISSUED

DATE: \_\_\_\_\_, 20\_\_\_\_ SIGNED: \_\_\_\_\_  
(PUBLIC WORKS DIRECTOR OR SUPERINTENDENT)

**APPENDIX #5**

VILLAGE OF \_\_\_\_\_  
INDUSTRIAL SEWER CONNECTION APPLICATION

The undersigned, being the \_\_\_\_\_ of the  
(owner, owner's agent)  
property located at \_\_\_\_\_ does hereby request a permit to  
(Number, Street)  
\_\_\_\_\_ an industrial sewer connection serving the \_\_\_\_\_  
(install, use) (Company Name)  
which company is engaged in \_\_\_\_\_ at said location.  
(Company specialty/focus)

1. A plan of the property showing accurately all sewers and drains now existing is attached hereunto as Exhibit "A".
2. Plans and specifications covering any work proposed to be performed under this permit is attached hereunto as Exhibit "B".
3. A complete schedule of all process waters and industrial wastes produced or expected to be produced at said property, including a description of the character of each waste, the daily volume and maximum rates of discharge and representative analyses is attached hereunto as Exhibit "C".
4. The name and address of the person or firm who will perform the work covered by this permit is \_\_\_\_\_.

IN CONSIDERATION OF THE GRANTING OF THIS PERMIT, THE UNDERSIGNED AGREES:

1. To furnish any additional information relating to the installation or use of the industrial sewer for which this permit is sought as may be requested by the Village.
2. To accept and abide by all provisions of the Revised Code, and of all other pertinent ordinances or codes that may be adopted in the future.
3. To operate and maintain a control manhole and any waste pretreatment facilities, as may be required as a condition of the acceptance into the public sewer of the industrial wastes involved in an efficient manner at all times, and at no expense to the Village.
4. To cooperate at all times with the Village and its representative(s) in their inspecting, sampling, and study of the industrial wastes, and any facilities provided for pretreatment.
5. To notify the Village immediately in the event of any accident, negligence, or other occurrence that occasions discharge to the public sewers of any wastes or process waters not covered by this permit.

DATE: \_\_\_\_\_, 20\_\_\_\_ SIGNED: \_\_\_\_\_  
(APPLICANT)

ADDRESS OF APPLICANT: \_\_\_\_\_

-----  
CERTIFICATION BY CLERK

\$ \_\_\_\_\_ (Inspection Fee Paid) DATE: \_\_\_\_\_, 20\_\_\_\_  
\$ \_\_\_\_\_ (Connection Fee Paid) SIGNED: \_\_\_\_\_

(CLERK)

APPLICATION APPROVED AND PERMIT ISSUED

DATE: \_\_\_\_\_, 20\_\_\_\_ SIGNED: \_\_\_\_\_  
(PUBLIC WORKS DIRECTOR OR SUPERINTENDENT)

**APPENDIX #6**

VILLAGE OF \_\_\_\_\_  
APPLICATION FOR SANITARY SEWER SERVICE CONNECTION

The undersigned, representing himself as owner of the property located at \_\_\_\_\_, hereby makes application for Sanitary Sewerage Service for said property, and in consideration of the furnishing of said service covenants and agrees as follows:

1. I agree to abide by all rules and regulations as specified in and by the ordinances of the Village now in effect or ordinances enacted and passed from time to time providing for the regulation of the sanitary sewer system or specifying fees and rates to be charged for connection and sanitary sewer service furnished by the Village. It is further acknowledged and agreed that the undersigned, his heirs, executors, administrators, successors and assigns shall pay all charges for connection fees and sewer usage which shall become due as the result of the connecting of the sewerage mains and the furnishing of sanitary sewerage service to the above property, and that all such charges and fees for sanitary sewerage service rendered to the property, together with penalties, if any, and the costs of collection are to be considered and become a charge against the property, the lien so created to be enforced in accordance with the ordinances of the Village.
2. All bills for the aforesaid charges are payable on or before the due date following the receipt of said bill and if not paid, are subject to a ten percent (10%) penalty.
3. Each and all of the agreements and covenants herein contained shall run with the real estate above described whose present owner is signatory to this application.
4. I understand that after making this application, I am to await installation permit and instructions therewith.
5. SERVICE CONNECTION FEE: \$ \_\_\_\_\_ is enclosed herewith, payable to the Village.
6. Permission is hereby granted to the Village and its authorized representatives at any reasonable time to enter the premises of the applicant and any portion thereof for the purposes of inspecting all connections appurtenant to the sewerage outlets, pipes and mains.

APPLICANT'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

ADDRESS OF SERVICE CONNECTION: \_\_\_\_\_  
(Number, Street, Village, State, & Zip)

OWNER'S SIGNATURE (IF NOT APPLICANT): \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_

Do not fill in the spaces to the right IF the information is the same as the applicant above.

MAIL BILLS TO:  
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

**APPENDIX #7**

VILLAGE OF \_\_\_\_\_  
RECEIPT

Receipt is hereby acknowledged of the executed Application for Sanitary Sewer Service Connection from the person and for the property indicated below.

This receipt does not authorize service connection is made, inspection and approval of the customer service line by an authorized representative of the Village is required, and approval of such connection and issuance of a Certificate of Inspection and Approval and Permit is conditioned upon compliance with all the Ordinances, Codes, Rules and Regulations of the Village.

NOTE:

1. In the event the location of the sewer service connection is unknown, the Superintendent is to be contacted.
2. This office is to be notified the day before the work is to be done so that inspection may be arranged in accordance with specifications furnished. For example, if you desire inspection on Tuesday, contact us on Monday. If you desire inspection on Monday, contact us on Friday, etc.
3. If the sewer line is deep enough to drain your basement, if you have one, then the wastes from the basement as well as the other floor(s) of the property must go into the sanitary sewers. Downspout and surface drainage are prohibited inasmuch as this is not a storm sewer system.

WARNING! In order to coordinate our inspections, we must be advised a day in advance before the work is done. The inspection must be made before the trench is backfilled. If trench is backfilled before the inspection is made, it will have to be reopened to permit inspection.

NO. VILLAGE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

DATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

OWNER(S): \_\_\_\_\_



**APPENDIX #8**

VILLAGE OF \_\_\_\_\_  
CERTIFICATE OF INSPECTION, APPROVAL AND PERMIT

IT IS HEREBY CERTIFIED THAT inspection has been made of the individually-owned sewer mains and sanitary service connection for the property described below, and said installation is hereby approved as in compliance with the Specifications, Rules and Regulations established by the Revised Code (Ch. 38) of this Municipality.

Permission is hereby granted to complete the construction of said individually-owned sewer main to the Village Sanitary Sewerage System and to utilize the same for waste disposal in compliance at all times, with the Revised Code of this Village.

NO. \_\_\_\_\_

ADDRESS:

TYPE OF CONNECTION:

- \_\_\_\_\_ Single-Family Residence
- \_\_\_\_\_ Multiple dwelling or trailer court
- \_\_\_\_\_ Commercial
- \_\_\_\_\_ Industrial
- \_\_\_\_\_ Institutional
- \_\_\_\_\_ Governmental

INSTALLATION BY:

THE SERVICE IS IN OPERATION AS OF THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

VILLAGE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

SIGNED: \_\_\_\_\_

**APPENDIX #9**

VILLAGE OF \_\_\_\_\_  
UTILITY MAIN EXTENSION CONTRACT

AGREEMENT made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, by and between the Utility System of the Village of \_\_\_\_\_, Illinois, hereinafter called the "Utility Department" and \_\_\_\_\_, hereinafter called the "Depositor".

FIRST: That the Utility Department contracts and agrees to have installed by contract in accordance with its rules, utility mains as shown on the plat thereof, and the specifications are attached hereto and made a part hereof.

SECOND: Bids having been taken and the lowest responsible bid having been in the amount of \$\_\_\_\_\_, the Depositor agrees to deposit and does deposit herewith the cost thereof.

(A) The lowest responsible bid \$\_\_\_\_\_.

(B) Engineering and Inspection Charge \$\_\_\_\_\_.

(C) TOTAL: \$\_\_\_\_\_.

THIRD: Final costs to be adjusted up or down according to completed job cost.

FOURTH: The ownership of the utility mains laid herein shall be at all times in the Utility Department, its successors and assigns.

FIFTH: This Agreement shall be valid and binding on the Utility Department only when signed by the Mayor and Clerk.

SIXTH: This Agreement shall be binding upon the heirs, executors, administrators, successors or assigns of the respective parties.

EXECUTED in duplicate by the parties hereto on the date first above written.

UTILITY DEPARTMENT

VILLAGE OF \_\_\_\_\_

BY: \_\_\_\_\_

ATTEST: SUPERINTENDENT

VILLAGE CLERK DEPOSITOR

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

**APPENDIX #10**

VILLAGE OF \_\_\_\_\_  
UTILITY SHUTOFF HEARING NOTICE

This notice is being sent to you pursuant to the provisions of CHAPTER 38

CUSTOMER'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TOTAL AMOUNT OF BILL: \$ \_\_\_\_\_ WATER

\$ \_\_\_\_\_ SEWER

\$ \_\_\_\_\_ OTHER

SUB-TOTAL: \$ \_\_\_\_\_

PENALTY: \$ \_\_\_\_\_

TOTAL DUE: \$ \_\_\_\_\_

DATE OF HEARING: \_\_\_\_\_

TIME OF HEARING: \_\_\_\_\_

LOCATION OF HEARING: \_\_\_\_\_

PHONE: \_\_\_\_\_

If the consumer/customer fails to appear at the hearing, the applicable utility services shall be terminated [shut off] without further proceedings.

If payment for the charges and fees is received prior to the date of the hearing, you may disregard this hearing notice.

The Mayor and Village Clerk, or their designated representative(s), shall preside at the hearing.

VILLAGE CLERK: \_\_\_\_\_

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTE: After services have been shut off there will be a reconnection fee of \$ \_\_\_\_\_.

**APPENDIX #11**

VILLAGE OF \_\_\_\_\_  
OBJECTIONABLE MATERIAL EFFLUENT LIMITS

<b>WASTE OR CHEMICAL</b>	<b>CONCENTRATION MG/L</b>
Boron	1.0
Chromium (Hexavalent)	5.0
Chromium (Trivalent)	10.0
Copper	3.0
Cyanide	0.005
Iron	15.0
Lead	0.1
Mercury or its compounds	0.005
Nickel	3.0
Oil & Grease, etc. (carbon tetrachloride extraction)	100.0
Temperature not over 150°F (65°C)	
Acid iron pickling waste or concentrated plating waste	Zero
Free acids and alkalis pH	Between 5.5 and 9.5
Zinc	2.0
Cadmium	2.0
Chlorine Demand	30.0
Phenols	0.5