

Title 13PUBLIC SERVICESChapters:

<u>13.04</u>	<u>Combined Water and Sewer System--Generally</u>
<u>13.08</u>	<u>Combined Water and Sewer System--Operation and Rates</u>
<u>13.12</u>	<u>Combined Water and Sewer System--Street Use</u>
<u>13.16</u>	<u>Water Regulations</u>
<u>13.20</u>	<u>Sewer Regulations</u>

Chapter 13.04

COMBINED WATER AND SEWER SYSTEM--
GENERALLY*

Sections:

13.04.010	Created.
13.04.020	Property included.
13.04.030	Improvements, extensions, properties, assets, obligations and liabilities declared part of combined system.

13.04.010 Created. It is found, determined and declared necessary for the best interest of the village that the existing waterworks system and the sewerage system of the village described by the ordinance codified in this chapter be combined into a single utility to be known and designated as the combined waterworks and sewerage system of the village. (§1 of Ord. dated 8/16/65).

13.04.020 Property included. All property, real, personal and mixed, comprising the previously existing waterworks system and sewerage system of the village as more fully described in the preamble to the ordinance codified in this chapter is found, determined and declared to constitute the properties of the combined waterworks and sewerage system of the village. (§2 of Ord. dated 8/16/65).

* For statutory provisions on ordinances creating a combined municipal water and sewer system, see Ill.Rev. Stat. 1977 Chapter 24 §11-13-5.

13.04.030 Improvements, extensions, properties, assets, obligations and liabilities declared part of combined system. From and after the effective date of the ordinance codified in this chapter, the existing waterworks system and sewerage system shall be owned and operated by the village as a combined utility, known as the combined waterworks and sewerage system of the village, and all improvements and extensions to the waterworks or sewer systems, either or both, shall be considered as improvements and extensions to the combined utility; and all the properties, assets, obligations and liabilities, of all kinds, of the waterworks system and of the sewerage system, existing, outstanding and accruing or to accrue, shall be held, used, confessed and acknowledged as the properties, assets, obligations and liabilities of the combined utility. (§3 of Ord. dated 8/16/65).

Chapter 13.08

COMBINED WATER AND SEWER SYSTEM-- OPERATION AND RATES*

Sections:

- 13.08.010 Organization.
- 13.08.020 Application for service.
- 13.08.030 Installation and maintenance of lines and equipment.
- 13.08.040 Refusal of service.
- 13.08.050 Village not liable for damages or injury.
- 13.08.060 Use of water by village on user's premises.
- 13.08.070 Use's responsibility.
- 13.08.080 Extension of mains--Determination of responsibility for expense.
- 13.08.090 Extension of mains--Requirements and restrictions.
- 13.08.100 Change in occupancy procedure.
- 13.08.110 Billing procedure.
- 13.08.120 Late payment--Penalty.
- 13.08.130 Late payment--Termination of service.
- 13.08.140 Duty of village officers to render bills and enforce payment.
- 13.08.150 Segregation and delivery of funds.
- 13.08.160 Disposition of funds.

* For statutory provisions on rates for combined municipal water-sewer systems, see Ill.Rev.Stat. 1977 Ch. 24 §11-139-8.

Sections: (Continued)

- 13.08.170 System of accounts.
- 13.08.180 Rates--Generally.
- 13.08.190 Rates--Water.
- 13.08.200 Rates--Sewage treatment and collection.
- 13.08.210 Rates--Use of sewage system only.
- 13.08.220 Rates--For service to property outside the village limits.
- 13.08.230 Rates--Fire hydrant rental.

13.08.010 Organization. A. There is established an executive department of the village to be known and designated as the combined waterworks and sewage department of the village.

B. The department shall be divided into two divisions, one for water and one for sewage, and there shall be placed in charge of the general management and control of the executive department a superintendent, or the board of trustees may determine it to be in the best interest of the village to appoint a general superintendent of the combined system and/or a superintendent of each division. Any such superintendents shall be appointed by the president with the approval of the village board of trustees expressed by ordinance. It is determined and declared that the establishment of said department and divisions and the appointment of any superintendents thereof is necessary and expedient for the best interest of the village.

C. The superintendents shall qualify for office in the same manner as any elected official of the village and shall post such bond in such amount as may be determined by the president.

D. All necessary employees of said department and each division thereof shall likewise be approved by the president with the approval of the village board of trustees expressed by ordinance. (Ord. 72-2 §1, 1972).

13.08.020 Application for service. Water and sewer service shall be furnished only to village users upon filing of an appropriate application and a user's contract with the clerk of the village upon a form to be supplied by the village, except to those persons who are currently being supplied water from whom no user's contract for water shall be required. (Ord. 72-2 §2, 1972).

13.08.030 Installation and maintenance of lines and equipment. The village shall install and maintain the water mains and sewer mains, and service lines to the property line or a mutually agreed upon point, subject to the board of trustee's determination that a particular service is economically feasible to install. The village shall furnish,

install and maintain a water meter and appurtenances, including a shutoff valve. The shutoff valve shall be installed on the user's property line or such other point determined by a duly authorized representative of the village. The meter may be located near the shutoff valve or within the user's premises as determined by the village's representative. The meter and shutoff valve must be located at a point where it is readily accessible. (Ord. 72-2 §3 (A), 1972).

13.08.040 Refusal of service. The village may at any time refuse additional or new water or sewer service to any applicant if, in the judgment of the board of trustees, the capacity of the system will not permit such use or it is economically infeasible to provide such service. (Ord. 72-3 §3(B), 1972).

13.08.050 Village not liable for damages or injury. All water service supplied by the village shall be upon the express condition that the village shall not be liable nor shall any claim be made against it for damages or injury caused by reason of shutoff of water for repair, relocation or expansion of any part of the system or failure of any part of this system or for concentration of water for such purposes as fire fighting or restricted use of water. (Ord. 72-2 §3(C), 1972).

13.08.060 Use of water by village on user's premises. The village reserves the right to use the water from the user's facilities at any time deemed necessary. No charge shall be made by the user for the use of his facilities and no charge shall be made by the village for the water used by the village. (Ord. 72-2 §3(D), 1972).

13.08.070 User's responsibility. A. Installing and Maintaining Service Line. The user shall be responsible for installing and maintaining the user's own water and sewer line and shall be responsible for damage to the village property, as set forth in Chapters 13.16 and 13.20, as either chapter may be amended from time to time, and the same are incorporated in this section by reference as if more fully set forth in this section.

B. Location of Meter. The user shall permit the water meter to be located upon his property.

C. Easements. The user shall give such easements and rights-of-way as necessary to the village and shall allow access for the purposes of construction, repair, maintenance, meter reading, relocation or expansion of the water system. The necessity shall be determined by the board of trustees. (Ord. 72-2 §4, 1972).

13.08.080 Extension of mains--Determination of responsibility for expense. A. The board of trustees shall first determine if any extension of a water or sanitary sewer main is economically feasible based on estimated cost of the extension and the number of existing potential users that will use the water or the sewer system along the extension.

B. If the extension is economically feasible, then the village may install and pay the cost of the extension, at the discretion of the board of trustees.

C. If the village elects not to pay the cost of extending the water or the sanitary sewer main, then the person or persons desiring water or sewage service shall install the extension at their own personal expense upon a written consent by the board of trustees and upon such terms as the board of trustees may determine or may set forth in any ordinance or resolution.

D. The village shall not pay for any extensions to an undeveloped area, such as a subdivision being developed, unless there are sufficient existing residences or businesses to make the extensions economically feasible. (Ord. 72-2 §5(A), 1972).

13.08.090 Extension of mains--Requirements and restrictions. A. The village must approve all plans and specifications for any extensions. Before any extensions are installed, the plans and specifications must be reviewed and approved by the state Environmental Protection Agency.

B. Ownership, right-of-way, and title must be conveyed to the village for all extensions installed by anyone other than the village. The village will maintain the water and sanitary sewer mains after construction.

C. No extension will be permitted if, in the opinion of the board of trustees, the system does not have the necessary capacity to serve the proposed extension.

D. The applicant must pay all connection fees and all costs related to any extension. (Ord. 72-2 §5(B), 1972).

13.08.100 Change in occupancy procedure. A. Notice to Village. Any user requesting termination of service shall give written notice to the village seven days prior to the time such termination of service is desired. The meter shall be read by the village and the user shall be billed for all service rendered to the date of termination.

B. Responsibility for Payment of Service Already Consumed. The owner of the premises, and the occupant thereof and the user of either water or sewer service or both water and sewer service, shall be jointly and severally liable to pay for the service on such premises, and the service is furnished to the premises by the village only upon the condition that the owner of the premises, the occupant and

the user of the service are jointly and severally liable for such service to the village.

C. Charges for Change. There shall be no charge for transferring the water or sewage service to the subsequent user except as set forth in Section 13.08.180 through 13.-08.230. (Ord. 72-2 §6, 1972).

13.08.110 Billing procedure. A. The meters will be read by the village once each month, except where weather conditions or other circumstances prevent the reading of meters, then each water and sewage bill will be estimated by the village.

B. Bills shall be rendered at the first of each month and shall be payable within days after the date of the mailing of the original bill. Bills will be paid to the treasurer of the village or his designated representative. (Ord. 72-2 §7(A), 1972).

13.08.120 Late payment--Penalty. There will be a ten percent penalty added to each bill that is unpaid ten days after mailing. In the event such rates or charges for water or sewage service, including any penalty then due, are not paid within twenty days after the date of the mailing of the original bill rendered for such service, such charges and penalties shall be delinquent, and thereafter such delinquency shall constitute liens upon the real estate for which such services are supplied; and the village clerk is authorized and directed to file sworn statements showing such delinquency in the office of the recorder of deeds of the county, and the filing of such statements shall be deemed notice for the payment of such charges and penalties for such service and to pursue such legal action as is necessary to collect the delinquent charges. (Ord. 72-2 §7(B), 1972).

13.08.130 Late payment--Termination of service. If all charges and penalties for water and sewage service are not paid within twenty days after the mailing of the bill for such service, then such service shall be discontinued without further notice and shall not be reinstated until all past due bills and penalties due thereon are paid in full, together with payment of ten dollars for reinstating such service during business hours and fifteen dollars for reinstating such service after business hours. (Ord. 72-2 §7 (C), 1972).

13.08.140 Duty of village officers to render bills and enforce payment. It is the duty of the village clerk, or his designate, to render bills for water and sewage service, and all other charges in connection therewith and to collect all moneys due thereon, and it is the duty of all

officials of the village to enforce payment of all unpaid bills and penalties in the manner, form, time and procedure provided for under the laws of the state. (Ord. 72-2 §8(A), 1972).

13.08.150 Segregation and delivery of funds. All revenues and moneys derived from the operation of the combined waterworks and sewage system shall be held by the village clerk separate and apart from his private funds and separate and apart from all other funds of the village, and all of said funds, without any deduction whatsoever, shall be delivered to the village treasurer not more than seven days after the receipt of the same or at such more frequent intervals as may from time to time be directed by the village board of trustees. (Ord. 72-2 §8(B), 1972).

13.08.160 Disposition of funds. The village treasurer shall receive all revenue from the combined waterworks and sewage system and all other funds and moneys incident to the operation of the system as the same may be delivered to him, and deposit the same in a separate fund designated as the waterworks and sewage fund. The treasurer shall administer the fund in every respect in the manner provided by Division 139 of Article II of the Illinois Municipal Code, and all laws amendatory thereto and supplemental thereto. (Ord. 72-2 §8(c), 1972).

13.08.170 System of 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 combined waterworks and sewage system, and at regular annual intervals the village board of trustees shall cause to be made an audit, by an independent auditing concern, of the books to show the receipts and disbursements of the combined system. (Ord. 72-2 §8(D), 1972).

13.08.180 Rates--Generally. There are established rates and charges for the use of and for the services supplied by the combined municipal waterworks and sewage system of the village, based upon meter readings of the amount of water consumed in each one-month period on each apartment, flat, place of business or family unit supplied with water or water and sewage service by said system as set forth in Section 13.08.190 through 13.08.230. (Ord. 72-2 §9(part), 1972).

13.08.190 Rates--Water. A. Rates for water shall be as follows:

For the first 2,000 gallons per month or fraction thereof	\$ 4.00,
For the next 8,000 gallons or fraction thereof, per 1,000 gallons	.90,
For the next 10,000 gallons or fraction thereof, per 1,000 gallons	.75,
For the next 10,000 gallons of fraction thereof, per 1,000 gallons	.70,
For the excess over 30,000 gallons per 1,000 gallons	.65;

provided, however, that the following minimum charges shall apply for each apartment, flat, place of business or family unit served by or through every service connection for each one-month period or fraction thereof:

For 5/8 or 3/4 inch service connection	\$ 4.00,
For one-inch service connection	6.00,
For one-and-one-half-inch service connection	12.00,
For two-inch service connection	20.00;

and provided, further, that a separate minimum charge shall be made for each apartment, flat, place of business or family unit in all buildings containing two or more apartments, flats, places of business or family units, but provided, further, no minimum charge shall be made for any vacant apartment, flat, or place of business in any such building which said apartment, flat or place of business is vacant during an entire one-month period.

B. The minimum monthly bill will be payable irrespective of use of the premises and all water supplied shall be metered to the customer. (Ord. 72-2 §9(part), 1972).

13.08.200 Rates--Sewage treatment and collection.

A. Rates for sewage treatment and collection shall be as follows:

For the first 2,000 gallons of water used or fraction thereof	\$ 4.00,
For the next 8,000 gallons of water used or fraction thereof, per 1,000 gallons	.90,
For the next 10,000 gallons of water used or fraction thereof, per 1,000 gallons	.75,
For the next 10,000 gallons of water used or fraction thereof, per 1,000 gallons	.70,
For the excess over 30,000 gallons of water used, per 1,000 gallons	.65;

provided, however, that a minimum charge shall be made of each apartment, flat, place of business or family unit served by or through each sewer connection for each one-month period or fraction thereof in the amount of four dollars, and provided, further, that a separate minimum charge shall be made for each apartment, flat, place of business or family unit in all buildings containing two or more apartments, flats, places of business or family units, but provided, further, no minimum charge shall be made for any vacant apartment, flat or place of business in any such building where such apartment, flat, or place of business is vacant during an entire one-month period.

B. The minimum monthly bill will be payable irrespective of use. (Ord. 72-2 §9(part), 1972).

13.08.210 Rates--Use of sewage system only. In the event that the customer is using sewage service only, the bill rendered to said customer shall be based upon the estimated amount of water consumed by said customer and placed into the sewage collection system and by applying the rates set forth hereinabove as if the customer was receiving metered water service. (Ord. 72-2 §9(A), 1972).

13.08.220 Rates--For service to property outside the village limits. For service rendered to residential property, apartments and flats outside the village limits, the rates and charges for the use of and for the service supplied by the combined municipal waterworks and sewage system of the village shall be one and one-half times the rate as set forth in Section 13.08.190 through 13.08.230. Charges for all other types of connections outside the village limits shall be based upon contract agreement between the village and the applicant, but rates established by said contract shall in no case be less than the amount set forth in this chapter. (Ord. 72-2 §9(B), 1972).

13.08.230 Rates--Fire hydrant rental. There is established a fire hydrant rental at the rate of one dollar per hydrant per year. (Ord. 72-2 §9(C), 1972).

Chapter 13.12COMBINED WATER AND SEWER SYSTEM--
STREET USE*Sections:

- 13.12.010 Authorized.
13.12.020 Unrecorded street and alley vacations null
and void.

13.12.010 Authorized. The combined waterworks and sewage system of the village is authorized to use, for water lines, collection system, lift stations and out-fall sewers, the streets, alleys and other village-owned property for said purpose. (Ord. 71-7 §1, 1971).

13.12.020 Unrecorded street and alley vacations null and void. Any vacations of any streets or alleys located within the corporate limits of the village given and granted by the president and board of trustees of the village prior to the effective date of the ordinance codified in this chapter, and not theretofore recorded for record in the office of the recorder of deeds of Champaign County, are repealed, the purpose being that any streets or alleys so vacated by the president and board of trustees and not recorded be null and void. (Ord. 71-7 §2, 1971).

* For statutory provisions on municipal power to regulate street use, see Ill.Rev.Stat. 1977 Ch. 24 §11-80-2.

Chapter 13.16

WATER REGULATIONS*

Sections:

- 13.16.010 Installation fee, tap-on fee or service hookup charge.
- 13.16.020 Installation of service lines.
- 13.16.030 Tampering with or damaging equipment--Penalty.
- 13.16.040 License and bond required to work on water line.
- 13.16.050 Use of water--Resale prohibited.
- 13.16.060 Penalty for violation.

13.16.010 Installation fee, tap-on fee or service hookup charge. For all new service for each apartment, flat, place of business or family unit served by or through a service connection, there shall be paid to the village an installation fee, tap-on fee or service hookup charge on each said service hookup, as follows, said fee to be paid prior to any new service hookup or connection being made:

A. For a service connection for five-eighth-inch or three-fourth-inch water service, the fee shall be one hundred fifty dollars. Out of said fee, the village will lay a maximum of seventy feet of pipe to the property line upon which said apartment, flat, place of business or family unit is located. Should the distance require a pipe exceeding seventy feet in length, the expense incurred by the village in furnishing and/or laying said pipe shall be at the expense of the applicant.

B. The service connection fee for larger than three-fourth-inch will be the actual cost of installing the meter and appurtenances, including the cost of laying all pipe to the property line upon which said apartment, flat, place of business or family unit is located. (Ord. 72-1 §1, 1972).

13.16.020 Installation of service lines. A. The applicant and user shall be responsible for all new service expense from the water meter to the apartment, flat, place of business or family unit, and for all maintenance after installation from the water meter to the apartment, flat, place of business or family unit.

* For statutory provisions on rules and regulations for combined municipal water-sewer systems, see Ill.Rev. Stat. 1977, Ch. 24 §11-139-8.

B. Such service line must be at least five-eighth-inch in diameter, must be installed at a minimum depth of forty-two inches, must have a minimum working pressure rating of 160 p.s.i. at 73.4 degrees Fahrenheit, and must be constructed of one of the following types of material: copper, type K, polyvinyl chloride (PVC), polyethylene or polybutylene.

C. The applicant or his agent shall not cover service lines until they are inspected and approved by a duly authorized village representative, and the applicant or his agent will not connect any service lines or other plumbing connected with the service line to any other water source.

D. The service line must meet any requirements of the state Department of Public Health, in addition to all required in this chapter and other ordinances of the village. (Ord. 72-1 §2, 1972).

13.16.030 Tampering with or damaging equipment--
Penalty. A. No user of the system or any other person shall tamper, adjust, damage or in any manner interfere with the components or operation of the water system owned by the village and the shutoff valve shall be opened only by a duly authorized representative of the village and the user shall be responsible and shall reimburse the village for the actual cost of repairing any damage arising from the user's act.

B. No unauthorized persons shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the waterworks or system.

C. Any person violating the provisions of either subsection A or B of this section shall be subject to immediate arrest under a charge of disorderly conduct.

D. In addition to the penalty set forth in subsection C of this section, the user shall report any known evidence of tampering, adjusting, damaging, interfering or defacing of any portion of the water system or interference with operation of the system owned by the village to the president of the board of trustees of the village. (Ord. 72-1 §3, 1972).

13.16.040 License and bond required to work on water line. Any person making an authorized connection to the water line shall be licensed by the village to engage in such work and may be required to deposit with the clerk of the village a surety bond in an amount adequate to indemnify the village against any loss or damage resulting from the working of the licensed holder. (Ord. 72-1 §4, 1972).

13.16.050 Use of water--Resale prohibited. Water purchased from the village may be used for ordinary domestic, industrial or farm use upon the premises of the user, provided no user shall resell or permit the resale of water purchased from the village. (Ord. 72-1 §5, 1972).

13.16.060 Penalty for violation. A. Any person found to be violating any provision of this chapter, except Section 13.16.030, shall be served by the village with written notice stating the nature of the violation and providing a reasonable time limitation for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

B. Any person who continues any violations beyond the time limit provided for in this section is guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not exceeding one hundred fifty dollars for each violation. Each day in which any such violation continues is a separate offense.

C. Any person violating any provision of this chapter shall become liable to the village for any expense, loss or damage occasioned the village by reason of such violation. (Ord. 72-1 §6, 1972).

Chapter 13.20

SEWER REGULATIONS*

Sections:

- 13.20.010 Definitions.
- 13.20.020 Unsanitary deposit of objectionable waste prohibited.
- 13.20.030 Discharge of sewage and polluted waters into natural outlet prohibited--Exception.
- 13.20.040 Privies and cesspools prohibited--Exception.
- 13.20.050 Toilet facilities and connection with sewer required.
- 13.20.060 Private sewage disposal system--Required when public sewer not available.
- 13.20.070 Private sewage disposal system--Permit required--Fee.
- 13.20.080 Private sewage disposal system--Inspection.

* For statutory provisions on rules and regulations for combined municipal water-sewer systems, see Ill.Rev. Stat. 1977 Ch. 24 §11-139-8.

Sections: (Continued)

- 13.20.090 Private sewage disposal system--Type, capacity, location and layout.
- 13.20.100 Private sewage disposal system--Abandonment required when public sewer available.
- 13.20.110 Private sewage disposal system--Sanitary operation required--No expense to village.
- 13.20.120 Private sewage disposal system--Provisions not to interfere with requirements of health officer.
- 13.20.130 Private sewage disposal system--Connection to public sewer.
- 13.20.140 Permit--Required before disturbing sewers or appurtenances.
- 13.20.150 Permit--Class--Application--Fee.
- 13.20.160 Owner responsible for all costs and expenses.
- 13.20.170 Building sewers--Separate required--Exception.
- 13.20.180 Building sewers--Use of old sewers.
- 13.20.190 Building sewers--Specifications.
- 13.20.200 Building sewers--Connection below basement-floor elevation required--Exception.
- 13.20.210 Building sewers--Connection of surface runoff prohibited.
- 13.20.220 Building sewers--Connection to building sewer to conform to certain codes and specifications.
- 13.20.230 Building sewers--Inspection.
- 13.20.240 Building sewers--Excavations.
- 13.20.250 Building sewers--License--Bond.
- 13.20.260 Stormwater--Discharge into sanitary sewer prohibited.
- 13.20.270 Stormwater--Discharge into storm sewer or approved natural outlet.
- 13.20.280 Harmful waters and wastes--Discharge prohibited.
- 13.20.290 Harmful waters and wastes--Discharge subject to approval of superintendent.
- 13.20.300 Harmful waters and wastes--Action by superintendent.
- 13.20.310 Grease, oil and sand interceptors.
- 13.20.320 Preliminary treatment and flow-equalizing facilities to be maintained by owner.
- 13.20.330 Damage or tampering prohibited.
- 13.20.340 Connection from building sewer to sanitary sewer--License and bond required.
- 13.20.350 Right of entry--Authorized for inspection and testing.
- 13.20.360 Right of entry--Liability for damage or injury.

Sections: (Continued)

13.20.370 Right of entry--Easements.

13.20.380 Penalty for violation.

13.20.010 Definitions. A. "BOD" (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees Celsius, expressed in milligrams per liter.

B. "Building drain" means that part of the lowest horizontal piping of a drainage system which received the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (one and one-half meters) outside the inner face of the building wall.

C. "Building sewer" means the extension from the building drain to the public sewer or other place of disposal.

D. "Combined sewer" means a sewer receiving both surface runoff and sewage.

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

F. "Industrial wastes" means the liquid wastes from manufacturing processes, as distinct from sanitary sewage.

G. "Natural outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

H. "Person" means any individual, firm, company, association, society, corporation or group.

I. "pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

J. "Properly shredded garbage" means the wastes from the preparation, cooking and dispensing of foods 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-half inch (1.27 centimeters) in any dimension.

K. "Public sewer" means a sewer in which all owners of abutting properties have equal rights, and which is controlled by public authority.

L. "Sanitary sewer" means a sewer which carries sewage and to which storm, surface and groundwaters are not intentionally admitted.

M. "Sewage" means a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments.

N. "Sewage treatment plant" means any arrangement of devices and structures used for treating sewage.

O. "Sewage works" means all facilities for collecting, pumping, treating and disposing of sewage.

P. "Sewer" means a pipe or conduit for carrying sewage.

Q. "Shall" is mandatory; "may" is permissive.

R. "Slug" means 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 minutes more than five times the average twenty-four-hour concentration of flows during normal operation.

S. "Storm drain" (sometimes termed "storm sewer") means a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

T. "Superintendent" means the superintendent of the sewage system or the sewage portion of the combined waterworks and sewage system of the village or his authorized deputy, agent or representative.

U. "Suspended solids" means 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.

V. "Watercourse" means a channel in which a flow of water occurs, either continuously or intermittently. (Ord. 71-6 Art. I §§1--22, 1971).

13.20.020 Unsanitary deposit of objectionable waste prohibited. It is 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 the village, any human or animal excrement, garbage or other objectionable waste. (Ord. 71-6 Art. II §1, 1971).

13.20.030 Discharge of sewage and polluted waters into natural outlet prohibited--Exception. It is unlawful to discharge to any natural outlet within the village, or in any area under the jurisdiction of the village, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter. (Ord. 71-6 Art. II §2, 1971).

13.20.040 Privies and cesspools prohibited--Exception. Except as provided by this chapter, it is unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage. (Ord. 71-6 Art. II §3, 1971).

13.20.050 Toilet facilities and connection with sewer required. The owner of all houses, buildings or properties used for human occupancy, employment, recreation 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 a public sanitary sewer of the village, is 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 days after date of official notice to do so, provided that said public sewer is within two hundred feet of the property line. (Ord. 71-6 Art. II §4, 1971).

13.20.060 Private sewage disposal system--Required when public sewer not available. Where a public sanitary sewer is not available under the provisions of Section 13.-20.050, the building sewer shall be connected to a private sewage disposal system complying with the provisions of Sections 13.20.060 through 13.20.130. (Ord. 71-6 Art. III §1, 1971).

13.20.070 Private sewage disposal system--Permit required--Fee. A. 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 are deemed necessary by the superintendent.

B. The permit and inspection fee for sewage disposal systems consisting of septic tank and underdrains shall be ten dollars. The permit and inspection fee for a type of sewage disposal other than septic tank and underdrains shall be one hundred fifty dollars. The permit and inspection fee shall be paid to the village at the time application is filed. (Ord. 71-6 Art. III §2, 1971).

13.20.080 Private sewage disposal system--Inspection. 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 seventy-two hours of the receipt of the notice by the superintendent. (Ord. 71-6 Art. III §3, 1971).

13.20.090 Private sewage disposal system--Type, capacity, location and layout. The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the Environmental Protection Agency of the state. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the public village water source is used and the area of the lot is less than eleven thousand square feet or if a private water source is used where the area of the lot is less than twenty thousand square feet. No septic tank shall be permitted to discharge to any natural outlet. (Ord. 71-6 Art. III §4, 1971).

13.20.100 Private sewage disposal system--Abandonment required when public sewer available. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 13.-20.050, a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks or similar private sewage disposal facilities shall be cleaned, abandoned and filled with bank-run gravel or dirt. (Ord. 71-6 Art. III §5, 1971).

13.20.110 Private sewage disposal system--Sanitary operation required--No expense to village. The owner shall operate and maintain the private sewage disposal facilities in sanitary manner at all times, at no expense to the village. (Ord. 71-6 Art. III §6, 1971).

13.20.120 Private sewage disposal system--Provisions not to interfere with requirements of health officer. No statement contained in Sections 13.20.060 through 13.20-.110 shall be construed to interfere with any additional requirements that may be imposed by the health officer. (Ord. 71-6 Art. III §7, 1971).

13.20.130 Private sewage disposal system--Connection to public sewer. When a public sewer becomes available, the building sewer shall be connected to the sewer within sixty days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt. (Ord. 71-6 Art. III §8, 1971).

13.20.140 Permit--Required before disturbing sewers or appurtenances. 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. (Ord. 71-6 Art. IV §1, 1971).

13.20.150 Permit--Class--Application--Fee. A. There shall be one class of building sewer permits. For residential and commercial service. The owner or his agent shall make application on a special form furnished by the village.

B. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the superintendent.

C. A permit and inspection fee of one hundred fifty dollars for a residential or commercial building sewer permit shall be paid to the village at the time the application is filed. (Ord. 71-6 Art. IV §2, 1971).

13.20.160 Owner responsible for all costs and expenses. 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 village from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. (Ord. 71-6 Art. IV §3, 1971).

13.20.170 Building sewers--Separate required--Exception. 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. (Ord. 71-6 Art. IV §4, 1971).

13.20.180 Building sewers--Use of old 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. (Ord. 71-6 Art. IV §5, 1971).

13.20.190 Building sewers--Specifications. A. The building sewer used to connect single-family dwellings shall have a minimum diameter of four inches and the building sewer used to connect multiple-family dwellings and commercial buildings with the public sanitary sewer shall have a minimum diameter of six inches, and shall be laid on a uniform grade of not less than one-eighth inch per foot.

B. All joints shall be made gas-tight and water-tight and joining material and the methods for sealing joints shall meet the approval of the superintendent.

C. All service sewer pipe shall be laid in a straight line whenever possible and, where deflection from a straight line of more than three inches per foot is necessary, curved pipe shall be used.

D. All new buildings sewers shall be constructed of one of the following types of materials:

1. Vitrified clay sewer pipe and fittings, extra-strength clay pipe, A.S.T.M. designated C-20065T with factory-applied coupling meeting A.S.T.M. specifications C-425-66T, Type I or II;

2. Extra-heavy cast-iron soil pipe having joints of caulked oakum and molten lead; building plumbing drains shall be connected with a sealed connection to the building sewer; no open jointed field tile shall be used for a connection to the public sanitary sewer;

3. Rigid PVC sewer pipe having a rubber gasket or solvent weld joint, and meeting PSP SDR 41 (except four-inch size shall be SDR 33.5). The A.S.T.M. designation is D3033. (§1 of Ord. dated 6/4/73; Ord. 71-6 Art. IV §6, 1971).

13.20.200 Building sewers--Connection below basement-floor elevation required--Exception. 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 an approved means and discharged to the building sewer. (Ord. 71-6 Art. IV §7, 1971).

13.20.210 Building sewers--Connection of surface runoff prohibited. No person shall make connection of roof downspouts, exterior foundation drains, areaway 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. (Ord. 71-6 Art. IV §8, 1971).

13.20.220 Building sewers--Connection to building sewer to conform to certain codes and specifications. 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 A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gas-tight and water-tight. Any deviation from the prescribed procedures and materials must be approved by the superintendent before installation. (Ord. 71-6 Art. IV §9, 1971).

13.20.230 Building sewers--Inspection. 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. The inspection shall be made within seventy-two hours of the receipt of the notice by the superintendent. (Ord. 71-6 Art. IV §10, 1971).

13.20.240 Building sewers--Excavations. 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 village. (Ord. 71-6 Art. IV §11, 1971).

13.20.250 Building sewers--License--Bond. A. Any person or firm engaged in the business of construction and/or connection of building sewer to public sewer shall be licensed by the village. A license will not be required of an owner or occupant for the construction of building sewer solely within the property owned or occupied by him.

B. A surety bond will be required of the license holder indemnifying the village against any loss or damage resulting from the work performed by the licensee. In the event that construction is by an owner or occupant within the property owned or occupied by him, said owner or occupant shall also provide a surety bond to the village indemnifying the village against any loss or damage resulting from the work performed by the owner or occupant. (Ord. 71-6 Art. IV §12, 1971).

13.20.260 Stormwater--Discharge into sanitary sewer prohibited. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, or uncontaminated cooling water to any sanitary sewer. (Ord. 71-6 Art. V §1, 1971).

13.20.270 Stormwater--Discharge into storm sewer or approved natural outlet. Stormwater 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 superintendent. (Ord. 71-6 Art. V §2, 1971).

13.20.280 Harmful waters and wastes--Discharge prohibited. 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 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, including but not limited to cyanides in excess of two milligrams per liter as CN in the wastes as discharged to the public sewer;

C. Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structure, equipment or 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, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders. (Ord. 71-6 Art. V §3, 1971).

13.20.290 Harmful waters and wastes--Discharge subject to approval of superintendent. A. No person shall discharge or cause to be discharged the substances, materials, waters or wastes described in subsection B of this section if it appears likely in the opinion of the superintendent that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream, or otherwise endanger life, limb, public property or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the superintendent will give consideration 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, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors.

B. The substances prohibited are:

1. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit;

2. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred milligrams per liter or containing substances which may solidify or become viscous at temperatures between thirty-two and one hundred fifty degrees Fahrenheit;

3. Any garbage that has not become properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths horsepower (0.76 horsepower metric) 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. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances, or wastes exerting any 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 superintendent for such materials;

6. Any waters or wastes containing phenols or other taste-producing or odor-producing substances, in such 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 such 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 9.5;

9. Materials which exert or cause:

a. Unusual concentrations of inert suspended solids (such as, but not limited to, fullers 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 found or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works,

d. Unusual volume of flow or concentration of wastes constituting "slugs" as defined in this chapter;

10. Water or wastes containing substances which are not amendable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters;

11. Industrial wastes, as defined in this section shall not be discharged to public sewers. Industrial wastes may be discharged to storm sewers or natural outlet only when adequately treated to comply with required standards established by the state agency responsible;

a. In the event the village, after February 3, 1975, agrees to accept industrial waste, the village shall provide that the industry complies with the Industrial Cost Recovery provisions of the U.S. Environmental Protection Agency, as cited in the February 11, 1974, Federal Register, Vol. 39, No. 29, Section 35.928, which is summarized as follows:

i. The cost recovery period shall be thirty years starting January 1, 1975,

ii. During each of the thirty years, each industrial user of the treatment works shall pay its share of the total amount of the five hundred eighty-nine thousand six hundred dollars federal grant and any grant amendment awarded pursuant to this subsection, divided by the recovery period (thirty years),

iii. Payments shall be made by the industrial users no less often than annually. The first payment by an industrial user shall be made no later than one year after such user begins use of the treatment works,

iv. An industrial user's share shall be based on such factors as strength, volume and delivery flow to insure a proportional distribution of the grant assistance allocable to industrial use to all industrial users of the treatment works. As a minimum, an industry's share shall be proportional to its flow in relation to treatment works flow capacity,

v. If there is a substantial change in the strength, volume or delivery flow rate characteristics introduced into the treatment works by an industrial user, such user's share shall be adjusted accordingly,

vi. If there is an expansion or upgrading of the treatment works, each existing industrial user's share shall be adjusted accordingly,

vii. An industrial user's share shall include only that portion of the grant assistance allocable to its use or to capacity firmly committed for its use,

viii. An industrial user's share shall not include an interest component;

b. In the event an industrial waste agreement is approved by the village and moneys are received under conditions set forth in subparagraph 11 of subsection B of this section, the disposition of those receipts shall be in accordance with U.S. Environmental Protection Agency regulations, as cited in the February 11, 1974, Federal Register, Vol. 39, No. 29, Section 35.928-2, retained amounts, and stated below:

i. The grantee shall retain fifty percent of the amount recovered from industrial users. The remainder, together with any interest earned thereon, shall be returned to the U.S. Treasury on an annual basis,

ii. A minimum of eighty percent of the retained amounts, together with interest earned thereon, shall be used solely for the eligible costs of the expansion or reconstruction of treatment works associated with the project and necessary to meet the requirements of the act. The grantee shall obtain the written approval of the regional administrator prior to commitment of the retained amount for

any expansion and reconstruction. The remainder of the retained amounts may be used as the grantee sees fit,

iii. Pending use, the grantee shall invest the retained amounts for reconstruction and expansion in obligations of the U.S. Government, or obligations guaranteed as to principal and interest by the U.S. Government or any agency thereof; or shall deposit such amounts in accounts fully collateralized by obligations of the U.S. Government or by obligations fully guaranteed as to principal and interest by the U.S. Government or any agency thereof. (§1 of Ord. dated 2/3/75; Ord. 71-6 Art. V §4, 1971).

13.20.300 Harmful waters and wastes--Action by superintendent. A. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which water contains the substances or possesses the characteristics enumerated in Section 13.20.290, and which, in the judgment of the superintendent, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise creates a hazard to life or constitutes a public nuisance, the superintendent may:

1. Reject the wastes;
2. Require pretreatment to an acceptable condition for discharge to the public sewers;
3. Require control over the quantities and rates of discharge;
4. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges as may be agreed upon under special agreement between the village and the person using the sanitary sewer.

B. If the superintendent 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, and subject to the requirements of all applicable codes, ordinances and laws. (Ord. 71-6 Art. V §5, 1971).

13.20.310 Grease, oil and sand interceptors. 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 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 superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection. (Ord. 71-6 Art. V §6, 1971).

13.20.320 Preliminary treatment and flow-equalizing facilities to be maintained by owner. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained and continuously in satisfactory and effective operation by the owner at his expense. (Ord. 71-6 Art. V §7, 1971).

13.20.330 Damage or tampering prohibited. No unauthorized person shall maliciously, wilfully 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 this provision shall be subject to immediate arrest under charge of disorderly conduct. (Ord. 71-6 Art. VI §1, 1971).

13.20.340 Connection from building sewer to sanitary sewer--License and bond required. Any person making an authorized connection from a building sewer to the sanitary sewer line shall be licensed by the village to engage in such work and shall be required to deposit with the clerk of the village a surety bond in the amount of five thousand dollars to indemnify the village against any loss or damage resulting from the work of the licensed holder. (Ord. 71-6 Art. VI §2, 1971).

13.20.350 Right of entry--Authorized for inspection and testing. The superintendent and other duly authorized employees of the village 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. (Ord. 71-6 Art. VII §1, 1971).

13.20.360 Right of entry--Liability for damage or injury. While performing the necessary work on private properties referred to in Section 13.20.350, the superintendent or duly authorized employees of the village 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 and demands for personal injury or property damage asserted against the company, except as such may be caused by negligence or failure of the company to maintain safe conditions on its premises. (Ord. 71-6 Art. VII §2, 1971).

13.20.370 Right of entry--Easements. The superintendent 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. (Ord. 71-6 Art. VII §3, 1971).

13.20.380 Penalty for violation. A. Any person found to be violating any provision of this chapter except Sections 13.20.330 and 13.20.340 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.

B. Any person who continues any violation beyond the time limit provided for in subsection A of this section is guilty of a misdemeanor and, on conviction thereof, shall be fined in the amount not exceeding one hundred fifty dollars for each violation. Each day in which any such violation continues shall be deemed a separate offense.

C. Any person violating any of the provisions of this chapter shall become liable to the village for any expense, loss or damage occasioned the village by reason of such violation. (Ord. 71-6 Art. VIII §§1--3, 1971).

Title 14

(RESERVED)