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**THE VILLAGE OF ROBBINS**

COOK COUNTY, ILLINOIS

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**ORDINANCE**

No. 8-23-22A

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**AN ORDINANCE REGULATING PUBLIC UTILITIES**

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DARREN E. BRYANT, MAYOR

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*Board of Trustees*

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*PASSED AND APPROVED BY THE MAYOR AND BOARD OF TRUSTEES*

*THIS 23<sup>rd</sup> DAY OF August, 2022*

ORDINANCE NO. 8-23-22A

**AN ORDINANCE REGULATING PUBLIC UTILITIES**

WHEREAS, the Village of Robbins (the "Village") is a home rule unit of government pursuant to Article VII, Section 6 of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Village Mayor and Village Board of Trustees (the "Mayor" and the "Board", collectively, the "Corporate Authorities") seek to codify certain provisions regarding public utilities; and

WHEREAS, the Corporate Authorities have determined that it is in the best interests of the public health, safety, and welfare of the residents of the Village and the efficient operation of government to amend the Village Code of Ordinances; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Robbins, Cook County, Illinois, by and through its Home Rule Powers, as follows:

Section 1: That the above recitals are incorporated herein and made a part hereof, as set forth in their entirety.

Section 2: Chapter 6 Civil Defense of the Code of Ordinances of the Village of Robbins, Illinois is hereby amended by inserting the following in its entirety:

**Chapter 6**

**Public Utilities**

**Article I. UTILITY PAYMENT PLAN**

**Section 6-1. Definitions.**

Unless otherwise expressly stated, whenever used in this chapter, the following words shall have the meaning given to them by this section:

A. "Utility charges" shall mean the charge made to users of any service provided by the Village or a contractor authorized by the Village for obtaining water, discharging storm or sanitary sewage, or for providing a service for which sanitation charges are made.

B. "Sanitation charges" shall mean the charge made to users of any service provided by the Village or a contractor authorized by the Village for the removal and disposal of any refuse, garbage, yard waste, white goods, or recyclables.

**Section 6-2. Authority to set a Payment Plan**

service will be shut off to the property per the regulations of the Village code along with all appropriate charges.

**Section 6-3. Utility Payment Plan Policies.**

The Village clerk is hereby authorized and directed to create reasonable policies for the implementation of the provisions, terms and conditions of this Chapter 6. However, in no event shall such policies conflict with the provisions, terms and conditions of this Chapter.

**Article II. Water Regulations.**

**Section 6-10. Authority to turn on water.**

No water from the Village water supply shall be turned on for service into any premises by any person but the Superintendent of water or the Superintendent's authorized designee.

**Section 6-11. Application.**

Applications to have water at building turned on shall be made in writing to the Village Clerk and shall contain an agreement by the applicant to abide by and accept all of the provisions of this chapter as conditions governing the use of the Village water supply.

**Section 6-12. New Construction Meter Fee.**

A. All new water consumers shall pay the Village treasurer the following sums of money in accordance with the following water meter sizes:

¾ inch water meter - \$274.00 Residential

**Section 6-13. Plumbing Compliance.**

No water shall be turned on for service at any premise in which the plumbing of the structure does not comply with the ordinances of the Village. However, water may be turned on for construction work in unfinished buildings, subject to the provisions of this Chapter.

**Section 6-14. Street Connections.**

A. Street connections with water mains may be made either through service pipes as provided in the Village Code or through soft-temper copper tubing. In the event such copper tubing service pipes are used, they shall have no soldered joints; or joints and connections shall be flared.

B. When copper tubing is used in street connections, such tubing shall be soft-temper, for underground service, ordinarily known to the trade as Type K, and shall meet the following specifications for such tubing:

<u>Nominal size – Inches</u>	<u>¾</u>	<u>1</u>	<u>1 ¼</u>	<u>1 ½</u>	<u>2</u>
<u>Actual O.D. – Inches</u>	<u>0.875</u>	<u>1.125</u>	<u>1.375</u>	<u>1.625</u>	<u>2.125</u>

<u>Wall thickness – Inches</u>	<u>0.065</u>	<u>0.065</u>	<u>0.065</u>	<u>0.072</u>	<u>0.083</u>
<u>Approximate weight per foot – Pounds</u>	<u>0.641</u>	<u>0.839</u>	<u>1.04</u>	<u>1.36</u>	<u>2.06</u>

**Section 6-15. Service connection – Water taps.**

A. Permit. No connection with a water main shall be made without a permit being issued the Village. The applicant for a permit shall give twenty-four hours' notice to the Superintendent of Water prior to connecting to a water main. All such connections shall be made by or under the supervision of the Superintendent of Water and no connection shall be covered until the work has been inspected by the Superintendent of Water.

B. The fee for each a water connection permit shall be calculated in the manner described in the fee schedule worksheet as adopted by the Village Board of Robbins.

C. Replacement of Broken Concrete. In the event it is necessary to break and replace concrete in any street or sidewalk to make a connection, an additional fee of the current market cost per square foot of concrete broken or replaced shall be charged for such work. Concrete broken shall be replaced under the supervision of and pursuant to the directions of the Superintendent of Public Works. All trenches dug and opened on Village property for the purpose of making water connections shall, upon completion of the work, be backfilled under the direction and supervision of the Superintendent of Public Works.

**Section 6-16. Sprinkling.**

**This section intentional left blank**

**Section 6-17. Water main cross-connection control.**

A. All plumbing installed within the Village shall be installed in accordance with the Illinois Plumbing Code, 77 Ill. Admin. Code 890. If, in accordance with the Illinois Plumbing Code or in the judgment of the Superintendent of Water, the installation of an approved backflow prevention device is necessary for the safety of the Village water system, the Superintendent of Water will give notice to the water customer to install an approved backflow device immediately. The water customer shall, at his own expense, install an approved backflow device at a location, and in a manner which are in accordance with the Illinois Plumbing Code, Illinois Environmental Protection Agency requirements and all applicable local regulations, and shall have inspections and tests made of such approved devices upon installation, as required by the Illinois Plumbing Code, Illinois Environmental Protection Agency and local regulations.

B. No person, firm or corporation shall establish or maintain any connection with a private, auxiliary or emergency water supply to enter into regular public water supply of the Village. However, private, auxiliary or emergency water supply connections with the Village water supply may be authorized by the Village and the Illinois Environmental Protection Agency.

C. It shall be the duty of the Superintendent of Water to inspect, survey and investigate industrial and other properties served by the Village water supply to determine whether actual or potential hazards to the Village water supply exist. Such inspections, surveys and

Investigations shall be made a matter of public record and shall be repeated at least every two years, or as often as the Superintendent of Water shall deem necessary. Records of such surveys shall be maintained and available for review for a period of at least five years.

D. Duly authorized cross-connection control device inspectors, as designated by the Superintendent of Water or the Illinois Environmental Protection Agency, shall have the right to enter any property served by a connection to the public water distribution system of the Village for the purpose of verifying the presence or absence of cross-connections, with two business days' notice. The Superintendent of Water or his designated agent shall have the right to enter any property served by a connection to the Village water distribution system of the Village for the purpose of verifying information submitted by the customer regarding the required cross-connection control inspection, with two business days' notice. On demand, the owner, lessee or occupant of any property so served shall furnish to the superintendent of water any information which the Superintendent may request regarding the piping system or water use on such property. The refusal to provide the information requested by the Superintendent of Water within four weeks of the request, may be deemed evidence of the presence of improper connections as provided for in this Section.

E. The Superintendent of Water is authorized and directed, after reasonable notice to the occupant thereof, to discontinue the water service to any property where there is any connection that in violation of this Section. The Superintendent of Water may take other precautionary measures as deemed necessary to eliminate any danger of contamination of the public water distribution mains. Water service to a property shall not be restored until any contamination or conditions violating this Section have been eliminated or corrected in compliance with the provisions of this Section. After the violating conditions are remediated, the property owner shall pay a reconnection fee of one hundred dollars to the Village.

The Superintendent may immediately disconnect water service at a property with only verbal notice if he or she is assured that imminent danger or harmful contamination of the public water system exists. Such action shall be followed by written notification of the cause of the disconnection to the property owner.

The Superintendent of Water may immediately disconnect the water supply to a property, without notice to the property owner, to prevent actual or anticipated contamination or pollution of the Village's public water supply. Disconnection without notice may occur if in the reasonable opinion of the Superintendent of Water or the Illinois Environmental Protection Agency, such action is required to prevent actual or potential contamination or pollution of the Village's public water supply. Neither the Village, the Superintendent of Water, or its agents or assigns shall be liable to any customer for any injury, damages, or lost revenues which may result from termination of said customer's water supply in accordance with the terms of this Section, whether or not said termination was with or without notice.

F. The consumer responsible for back siphoned or back pressured material; or contamination through backflow; shall be liable for the cost of clean-up of the potable water supply system if contamination of the potable water system occurred through an illegal cross-connection or an improperly installed, maintained or repaired device, or a device which has been bypassed.

### **Article III. SERVICE PIPES**

All service pipes from the Village's water mains to the property served shall be installed by, and at the cost of, the owner of the property to be served or the applicant for the service. Such installations shall be under the supervision of the Superintendent of Water.

**Section 6-20. Conformance.**

No service shall be installed unless it conforms to the Village Code.

**Section 6-21. Repairs.**

All repairs for service pipes and plumbing systems of buildings shall be made by and at the expense of the owners of the premises served. The Village may, in case of an emergency, repair any service pipes to a property, but the cost of such repair work shall be repaid to the Village by the owner of the property served.

**Section 6-22. Excavations.**

Excavations for installing service pipes or repairing the same shall be made in compliance with the provisions of the Village Code relating to excavations in Village streets. It shall be unlawful to place any service pipe in the same excavation with, or directly over, any drainpipe or sewer pipe.

**Section 6-23. Shut-off boxes/ Meter Vault.**

Shut-off boxes or service boxes shall be placed on every service pipe and shall be located between the curb line and the sidewalk line where practicable. Shut off boxes shall be located in an easily accessible location and shall be protected from frost. The Village may require shut off boxes to be installed in front of the property.

**Section 6-24. Unlawful turn-on or off of water supply.**

A. It shall be unlawful for any person other than a Village employee or agent to turn the water supply on or off. A person who reconnects or turns back on the water supply in violation of this subsection shall be subject to a five hundred and fifty dollars (\$550.00) fee.

1. Any person imposed a pursuant to Section 6-24(a) shall have a right to a hearing to contest the fee. The person assessed the fee shall file a written demand to the Village Clerk within fourteen days from the date of notice served by the Village. The Village Clerk shall serve notice of the violation in person or first-class mail. The date of notice shall be the day of delivery (if served in person) or the date the notice is deposited in the mail (if served by first class mail). A hearing shall be conducted through administrative adjudication within thirty days of receipt of a written demand for a hearing, unless otherwise mutually agreed by the parties. Failure to request or attend a scheduled hearing shall be deemed a waiver of the right to a hearing. A hearing held pursuant to this Section shall not determine or otherwise adjudicate liability for any unpaid water rates or charges related to the Village's order to shut off or withhold the water supply which was reconnected or turned back on improperly. Nothing in this section shall be interpreted as prohibiting the Village from collecting any cost or expense incurred as a result of the unauthorized use of the water supply reconnected in violation of this section and also any unpaid water rates.

2. Where the water supply to any building, structure or premises shall have been turned off or stopped on account of the nonpayment of water rates or on account of

the violation of any of the provisions of this title, or for any other reason whatsoever by the Village, the water supply shall not be resumed to such building, structure or premises unless authorized by the Village. If it shall be found by the Village that the water supply has been resumed without the Village's permission, the Village Clerk and/or the Superintendent of Water, or their designee, shall have the authority to cause the service pipe or line by and through which water is supplied to such building, structure or premises to be severed from the water main. Water service may be resumed at the property after the expense of such severing and also any other unpaid rates or fees that may still be outstanding to the Village have been paid and a permit for the restoration of service has been obtained from the Village.

3. The costs, expenses and other charges set forth in Section 6-24 shall be paid by the owner or person in possession of property, charge or control of, such building, structure or premises prior to having water service resumed at the property. The owner or person in possession of the property is strictly liable for any violations of Section 6-24, any tampering with the shutoff boxes on his premises and/or for any unlawful or unauthorized turning on of the water supply into or upon his property, regardless of action liability.

#### **Article IV. WATER RATES AND CHARGES**

##### **Section 6-30. Meters required.**

All premises using the Village water supply must be equipped with an adequate water meter furnished by the Village but paid for by the consumer.

In the event of tampering to the meter or to any of its appurtenances; all repairs to the meter or its appurtenances shall be paid for by the person responsible for the water account where the repairs are necessary.

In the event of a tenant being responsible for any water account, the landlord shall be jointly and severably responsible with the tenant for any charges to the water account.

If the meter or its appurtenances fail due to normal wear and tear, the Village shall replace the failed items at no cost to the rate payer.

##### **Section 6-31. Water meter charges.**

A. Whenever it is proposed to install a water meter and/or a trace head; the charges shall be based on the cost to the Village of the equipment plus twenty percent (20%).

B. Notwithstanding any of the charges set out in Section 6-31(a), in the event the Village shall require the installation of a compound meter, the charge shall be based on the cost of the meter, plus twenty percent (20%).

C. If the Village requires the installation of a compound meter over two inches in size, charge shall be based on the cost of the meter plus fifteen percent (15%).

##### **Section 6-32. Access.**

Meters shall be installed in a location that shall be easy to access, as determined by the Superintendent of Water or his or her designee.

**Section 6-33. Reading meters.**

The Superintendent of Water, or his or her designee, shall read or cause to be read every water meter used in the Village once a month.

**Section 6-34. Testing meters.**

A. A municipal meter shall be tested upon written complaint of the water account holder and upon payment to the Village of a testing fee. The testing fee shall be equal to the total cost of testing and a fifteen percent (15%) charge.

B. If a meter test results in the meter running fast (at a rate greater than one hundred and two percent (102%) of normal or greater), the account holder will be given a refund of the percentage of the amount over one hundred percent (100%) as applied to the last six months of Village utility billing that is based on water usage. In addition, the meter testing fee will be refunded to the consumer.

Should the meter test result in the meter running slow (at a rate at ninety-eight percent of normal or less) the consumer will be charged the percentage of the amount under one hundred percent (100%) as applied to the last six months of municipal utility billing that is based on water usage.

**Section 6-35. Late Payment.**

Bills for water service shall be issued once a month by the Village. Bill payments are delinquent if made fourteen (14) days after their issuance by the Village. In the event of failure of the account holder to pay the bill within a fourteen (14) day period after issuance, the Village an additional charge of ten percent (10%) shall be added to the bill. Accounts not paid within twenty-six (26) days following the issuance date of the bill shall be subject to disconnection as set forth in this Chapter.

The owner of any premises to which water service is rendered, shall be liable to pay for all service to a property unless the owner has established with the Village that the tenant shall be responsible for payments for water service. If the Tenant is responsible for payment of water bills, both the Owner and Tenant shall be jointly and severably responsible payment to the Village for all water service provided to the property.

The Village Clerk is hereby authorized to implement reasonable rules and regulations to implement this Section 6-35.

**Section 6-36. Water service termination.**

The delivery of water service from the Village water main to any building, structure or premises shall be subject to termination in any of the following instances:

- A. An account water services is not paid when due; and/or
- B. Any charges on an account for penalties, repairs to water service pipes, valves, shut off boxes or other plumbing devices are not paid when due.
- C. then the Village shall give notice thereof to the owner,



The Superintendent of Water shall not reinstate service to any account until all amounts on the account are repaid. In addition, the Superintendent shall charge a service fee of seventy-five dollars (\$75.00) for reconnection.

**Section 6-37. Charge for premises outside the Village.**

The charge for water furnished to premises outside the Village limits, where authorized by the Board of Trustees, shall be fifty percent (50%) above current rates for sale of water within the Village.

**Section 6-38. Construction contractors.**

A. The owner of a building under construction may apply to the Village for water service during the construction, as set forth in Section 6-38.

B. Whenever a building permit is issued for the purpose of construction in which water shall be used from the Village water system and before water meters are installed, the following charges shall apply:

1. Single-family dwelling: one-tenth of one percent (.1%) of the construction price for construction of masonry walls; one-tenth of one percent (.1%) of the construction price for the construction of plastered walls.

2. Two-family dwelling: one-tenth of one percent (.1%) of the construction price for the construction of masonry walls; one-tenth of one percent (.1%) of the construction price for the construction of plastered walls.

3. Multiple-family dwelling and/or apartment buildings: one-tenth of one percent (.1%) of the construction price for the construction of masonry walls; one-tenth of one percent (.1%) of the construction price for the construction of plastered walls.

4. Commercial and industrial and all other types of buildings or structures not previously related: one-tenth of one percent (.1%) of the construction price for the construction of masonry walls; one-tenth of one percent (.1%) of the construction price for the construction of plastered walls.

**Section 6-39. Lien.**

A. The Village may place a lien against a property for any unpaid charges for water as provided by Illinois statute. Whenever a bill for water services remains unpaid sixty days after it has been rendered, the Clerk may file with the Recorder of Deeds of Cook County a statement of lien claim. This statement shall contain the legal description of the premises served, the amount of the unpaid bill and a notice that the Village has placed a lien for that amount, as well as for all charges for water served subsequent to the period covered.

B. If the consumer of water whose bill is unpaid is not the owner of the premises, and the Clerk has notice of this, then notice shall be mailed to the owner of the premises, if his address is known to the Clerk, whenever such bill remains unpaid for a period of sixty days after it has been rendered.

C. The failure of the Clerk to record a lien or to mail a notice of lien shall not affect the right to foreclose the lien for unpaid water bills as mentioned in Section 6-40.

**Section 6-40. Foreclosure of lien.**

A. Property subject to a lien for unpaid water charges shall be sold for nonpayment of the lien and the proceeds of such sale shall be applied to pay any and charges outstanding on the water account, after deducting any costs incurred during enforcement of the lien. Such foreclosure shall be by bill in equity in the name of the Village.

B. The Village Attorney may institute collection proceedings against any property for which a water bill has remained unpaid sixty days after it has been rendered.

**Section 6-41. Fee for water turn-off and on service.**

Whenever the Village turns on or off water service, the Village shall impose a twenty-five-dollar (\$25.00) fee for each service.

Any repairs required to be made to inside and/or outside water meter wire, automatic registers, or reading devices shall be charged fifty-five dollars (\$55.00), plus any cost of materials.

Emergency shut offs which are required to be made outside of the normal operating hours for the Public Works Department shall be assessed a cost of one hundred twenty-five dollars (\$125.00).

Water service will not be reestablished until any outstanding fees are paid.

**Article V. AIR CONDITIONING AND REFRIGERATION**

**Section 6-50. Definitions.**

Unless otherwise expressly stated herein, whenever used in this Article, the following words shall have the meaning given to them by this Section 6-50:

A. "Air conditioning" means the cooling or dehumidification, or both, of a space for human occupancy, food preservation or industrial processing by means of an air-conditioning system or air-conditioning installation which uses water as part of the cooling or dehumidification process.

B. "Air-conditioning system" or "air-conditioning installation" means one or more air-conditioning units, the water for which passes through a common meter, whether or not the units are owned by the property owner, the tenant, or a combination of both. It is intended that separate submetering for any one property owner or tenant occupying different space in the same building could create separate Air condition systems. It is not intended that submetering of individual units serving the same space or adjacent space under one owner or tenant would create separate systems.

C. "Ton of refrigeration" means the heat required to melt ice at the rate of one ton in twenty-four hours. One compressor horsepower shall be considered equivalent to one ton of refrigeration.

D. "Water-conserving device" means a cooling tower, spray pond, evaporation condenser or other equipment by which water is cooled and recirculated, thereby limiting the use of water from the mains to that amount lost through evaporation.

E. "Water-regulating device" means a regulating valve or other device, the purpose of which is to limit the maximum use of water to a predetermined rate.

**Section 6-51. Regulations.**

It is unlawful for any person, corporation or entity to have installed or to operate air-conditioning equipment without first conforming to the following regulations:

A. All water customers of the Village who desire to install air-conditioning and refrigeration equipment after the effective date of this ordinance are required to make a written application and to a permit from the Superintendent of Public Works. All permitted applicants are required to give notice of completion of the installation of the air conditioning equipment. All customers who have installed air-conditioning equipment prior to the effective date of this ordinance shall, in lieu of a permit, notify the superintendent of public works of such existing installation within thirty days of such effective date. Failure to give notice shall be considered a violation of this Article.

B. All air-conditioning units installed after the effective date of this ordinance shall be equipped with water conservation devices so that water from the Village mains shall be used for make-up and flushing purposes only. Any system installed after the effective date of this ordinance is prohibited from using water from the mains in excess of two-tenths gallons per minute, per ton.

C. The Superintendent of Water and his or her designated agents shall, at all reasonable hours, have access to premises supplied with water for air-conditioning purposes to examine the equipment and to ascertain if there is more water being used than allowed by this Article.

D. Whenever the Superintendent of Water shall reject or refuse to approve any plan, specification mode, or manner of construction in the installation of any air-conditioning equipment.

The Superintendent of Water may reject any application that does not comply with this Article.

The owner or any person or corporation denied a permit under this Section 6-51 may appeal to the building and public grounds committee of the Village Board.

E. After the effective date of this Ordinance, permits in any new construction or any new remodeling shall be only approved for the installation of closed system air-conditioning equipment.

## **Article VI. SEWERS**

### **Sec. 6-61. Définitions.**

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

#### **A. Federal Government.**

1. "Federal Act" means the Federal Clean Water Act (33 U.S.C. 466 et seq.), as amended.
2. "Administrator" means the Administrator of the United States Environmental Protection Agency.
3. "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 and implementing regulations.

#### **B. State Government.**

1. "State Act" means the Illinois Anti-Pollution Bond Act of 1970, as amended.

2. "Director" means the Director of the Illinois Environmental Protection Agency.

3. "State grant" shall mean the state of Illinois participation in the financing of the construction of treatment works as provided for by the Illinois Anti-Pollution Bond Act and for making such grants as filed with the Secretary of State of the state of Illinois.

C. Regional Agencies. "The Metropolitan Water Reclamation District of Greater Chicago (MWRDGC)" means an organization established under the laws of the state of Illinois, generally engaged in receiving and treating wastewater from the city of Chicago and some nearby suburbs. Also known in past as "The Metropolitan Sanitary District of Greater Chicago (MSDGC)."

D. Local Government.

1. "Article" means this Article.

2. "Village" means the Village of Robbins.

3. "Approving authority" means elected and/or appointed Village officials or employees designated by the Mayor and Board of Trustees of the Village, to oversee and/or enforce one or more sections of the Article.

E. "Person" means any and all persons, natural or artificial, including any individual, firm, company, municipal, or private corporation, association, society, institution, enterprise, governmental agency or other entity.

F. "NPDES permit" means any permit or equivalent document or requirements issued by the Administrator, or where appropriate, by the Director, after enactment of the Federal Clean Water Act to regulate the discharge of pollutants pursuant to Section 402 of the Federal Act.

G. Word Usage Clarification. "Shall" is mandatory; "may" is permissible.

H. Wastewater and Its Characteristics.

1. "Wastewater" means the spent water of the Village. 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 groundwater, surface water, and storm water that may be present.

2. "Sewage" is used interchangeably with "wastewater."

3. "Effluent criteria" is defined in any applicable NPDES permit.

4. "Water quality standards" is defined in the Water Pollution Regulations of Illinois.

5. "Unpolluted water" means 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.

6. "ppm" means parts per million by weight.

7. "Milligrams per liter" means a unit of the concentration of water or wastewater constituent. It is one-thousandths gram of the constituent in one thousand milliliters of water. It has replaced the unit formerly used commonly, parts per million (ppm), to which it is approximately equivalent, in reporting the results of water and wastewater analysis.

8. "Suspended solids" means solids that either float on the surface of, or are in suspension in, water, sewage, or industrial waste, and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in "Standard Methods."

9. "Biochemical oxygen demand (BOD)" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees C, expressed in milligrams per liter.

10. "pH" means the logarithm (base ten) of the reciprocal of the hydrogen-ion concentration expressed by one of the procedures outlined in the IEPA Division of Laboratories Manual of Laboratory Methods.

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

12. "Properly shredded garbage" means 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 bigger than one-half inch (one and twenty-seven-hundredths centimeters) in any dimension.

13. "Floatable oil" means 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.

14. "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 100 gallons of sewage per day, containing .7 pounds of BOD of BOD and .21 pounds of suspended solids.

15. "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 for flows during normal operation.

16. "Industrial waste" means any solid, liquid or gaseous substance discharged, permitted to flow or escaping from any industrial, manufacturing, commercial or business establishment or process or from the development, recovery or processing of any natural resource as distinct from sanitary sewage.

17. "Major contributing industry" means an industrial user of the publicly owned treatment works that:

a. Has a flow of fifty thousand gallons or more per average workday; or

b. Has flow more than ten percent of the flow carried by the municipal system receiving the waste; or

c. Has in its waste a toxic pollutant in toxic amounts as defined in standards issued under Section 307(a) of the Federal Act; or

d. Is found by the permit issuing authority, in connection with the issuance of the 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.

#### I. Sewer Types and Appurtenances.

1. "Sewer" means a pipe or conduit for conveying sewage or any other waste liquids, including storm, surface, and groundwater drainage.

2. "Public sewer" means a sewer provided by or subject to the jurisdiction of the Village. It shall also include sewers within or outside the Village boundaries that serve one or more persons and ultimately discharge into the Village sanitary (or combined) sewer system, even though those sewers may not have been constructed with Village funds.

3. "Sanitary sewer" means a sewer that conveys sewage or industrial waste, or a combination of both, and into which storm, surface, and groundwater or polluted industrial wastes are not intentionally admitted.

4. "Storm sewer" means a sewer that carries storm, surface and groundwater drainage but excludes sewage and industrial wastes other than unpolluted cooling water.

5. "Combined sewer" means a sewer which is designed and intended to receive wastewater, storm, surface, and groundwater drainage.

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

7. "Building drain" means that part of the lowest 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 or other approved point of discharge, beginning five feet (one and one-half meters) outside the inner face of the building wall.

8. "Storm water runoff" means that portion of the precipitation that is drained into the sewers.

9. "Sewerage" means the system of sewers and appurtenances for the collection, transportation, and pumping of sewage.

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

#### J. Treatment.

1. "Pretreatment" means the treatment of wastewaters from sources before introduction into the wastewater treatment works.

2. "Wastewater treatment works" means 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."

K. "Wastewater facilities" means the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and transport effluent to a watercourse.

L. Watercourse and Connections.

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

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

M. User Types.

1. "User class" means the type of user "residential," "institutional/governmental," "commercial," or "industrial" as defined herein.

2. "Residential user" means all dwelling units such as houses, mobile homes, apartments, permanent multifamily dwellings.

3. "Commercial user" includes transient lodging, retail and wholesale establishments or places engaged in selling merchandise or rendering services.

4. "Institutional/governmental user" includes schools, churches, penal institutional/governmental, and users associated with federal, state, and local governments.

5. "Industrial users" includes establishments engaged in manufacturing activities involving the mechanical or chemical transformation of materials of substance into products.

6. "Control manhole" means a structure located on a site from which industrial wastes are discharged. Where feasible, the manhole shall have an interior drop. The purpose of a control manhole is to provide access for the Village or MWRDGC representatives to sample and/or monitor discharge.

N. Types of Charges.

1. "Wastewater service charge" means the charge per billing period levied on all users of the wastewater collection system.

2. "User charge" means a charge levied on users of treatment works for the cost of operation, maintenance, and replacement.

3. "Basic user charge" means the basic assessment levied on all users of the Village sewer system.

4. "Debt service charge" means the amount to be paid each billing period for payment of interest, principal and coverage of loans, bonds, etc., outstanding.

5. "Capital improvement charge" means a charge levied on users to improve, extend, or reconstruct the sewage treatment works.

6. "Local capital cost charge" means charges for costs other than the operation, maintenance and replacement costs, i.e., debt service and capital improvement costs.

7. "Surcharge" means an assessment in addition to the basic user charge and debt service charge which is levied on those persons whose wastes are greater in strength than normal concentration values established in this chapter.

8. "Replacement" means expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the wastewater collection system to maintain the capacity and performance for which the system was designed and constructed. The term "operation and maintenance" includes replacement.

9. "Useful life" means the established period during which the collection system and/or treatment works will be operated.

10. "Sewerage fund" means the principal accounting designation for all revenues received in the operation of the sewerage system.

**Sec. 6-62. Use of public sewers required.**

A. 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 any human or animal excrement, garbage, or other objectionable waste.

B. It shall be 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 Article.

C. Except as hereinafter provided, it shall be unlawful to construct or maintain in the Village any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

D. The owner of all the 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 any public sanitary (or combined) 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 Village sewer in accordance with the provisions of this Article, within ninety days after date of official notice to do so; provided, that said public sewer is within three hundred feet (ninety-one and four-tenths meters) of the property line.

**Sec. 6-63. Private sewage disposal.**

A. Where a public sanitary (or combined) sewer is not available under the provisions, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Section.

B. Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Village. The application for such permit shall be made on a form furnished by the Village, which the applicant shall supplement as request submitting any plans, specifications, and other information as are deemed necessary by the Village. A permit and inspection fee shall be paid to the Village for each connection at the time the application is filed.



C. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Village. A designated Village representative shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Village when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within two working days of the receipt of written notice by the Village.

D. The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the State of Illinois Private Sewage Disposal Licensing Act and Code and with the State of Illinois Environmental Protection Agency. 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 forty-four thousand square feet (four thousand eighty-nine square meters). No septic tank or cesspool shall be permitted to discharge to any natural outlet.

E. At such times 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 this chapter, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

F. 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.

G. No statement contained in this Section shall be construed to interfere with any additional requirements that may be imposed by the Village's health officer or Superintendent of Water.

H. When a public sewer becomes available, the building sewer shall be connected to said sewer within ninety days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

#### **Sec. 6-64. Building sewers and connections**

A. 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 Village.

B. All disposal by any person into the sewer system is unlawful except those discharges in compliance with federal standards promulgated pursuant to the applicable federal act and more stringent state and local standards.

C. There shall be two classes of building sewer permits:

1. For residential and commercial service; and
2. For service to establishments producing industrial wastes.

In either case, the owner or his agent shall make application to the Village. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Village. A permit and inspection fee in accordance with the following schedule shall be paid to the Village for each connection at the time the application is filed:

<u>Single-family home</u>	<u>\$80</u>
<u>Multiple-family residential building</u>	<u>\$80 for the first residential unit plus \$50/each for any additional residential units</u>
<u>Commercial building</u>	<u>\$200</u>
<u>Industrial building</u>	<u>\$350</u>

The owners of an industrial building, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics, and type of activity.

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

E. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner of the property installing a sewer. 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.

F. 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.

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

H. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of 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 Specifications for Water and Sewer Main Construction in Illinois shall apply.

I. 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 subsection B of this section and discharged to the building sewer.

J. 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.

K. 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 gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Village before installation.

L. The applicant for the building sewer permit shall notify the Village 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 of public works or his representative.

M. 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.

#### **Sec. 6-65. Use of the public sewers.**

A. No person shall discharge, or cause to be discharged, any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

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

C. 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, 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, 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 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 fleshing's, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

D. 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 Village that such wastes can harm either the sewers, 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 his opinion as to the acceptability of these wastes, the Village's representative 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 maximum limits established by regulatory agencies. The substances prohibited are:

1. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit or sixty-five degrees Celsius.

2. Any waters or wastes containing toxic or poisonous materials; or oils, whether emulsified or not, in excess of one hundred mg/l, 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 been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths horsepower (seventy-six-hundredths hp metric) or greater shall be subject to the review and approval of the Village.

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, or similar objectionable or toxic substances; or wastes 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.

6. 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.

7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Village in compliance with applicable state or federal regulations.

8. Any waters or wastes having a pH in excess of 9.5.

9. Any mercury or any of its compounds in excess of five-hundredths mg/l as Hg at any time except as permitted by the Village in compliance with applicable state and federal regulations.

10. Any cyanide in excess of twenty-five-thousandths mg/l at any time except as permitted by the Village in compliance with applicable state and federal regulations.

11. 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.

d. Unusual volume of flow or concentrations of wastes constituting "slugs" as defined herein.

12. Waters 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 degree that the sewage treatment plant effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters.

E. If any 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 subsection D of this section and/or which are in violation of the standards for pretreatment provided in 40 CFR 403, June 26, 1978, and any amendments thereto, and which in the judgment of the Village and/or the Metropolitan Water Reclamation District of Greater Chicago (MWRDGC) 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 Village 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; and/or

4. Require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges, under the provisions of subsection K of this section.

If the Village and/or MWRDGC 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 Village and MWRDGC, and subject to the requirements of all applicable codes, ordinances, and laws.

F. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Village and/or MWRDGC, 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 Village and/or MWRDGC and shall be located as to be readily and easily accessible for cleaning and inspection.

G. 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.

H. Each industry shall be required to install a control or inspection manhole and, when required by the Village and/or MWRDGC, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control or inspection manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Village. 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.

I. The owner of any property served by a building sewer carrying industrial wastes shall provide laboratory measurements, tests, and analyses 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 analyses to be performed by the owner shall be as stipulated by the Village and/or MWRDGC, but no less than once per year. The owner must supply a complete analysis of the constituents of the wastewater 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 times and in such manner as prescribed by the Village. The owner shall bear the expense of all measurements, analyses, and reporting required by the Village. At such times as deemed necessary, the Village reserves the right to take measurements and samples for analysis by an outside laboratory service.

J. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference 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 or inspection manhole provided, or upon suitable samples taken at said control or inspection 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-hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four-hour composites of all outfalls, whereas pH is determined from periodic grab samples.)

K. No statement contained in this section 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 therefor, in accordance with the industrial concern, provided such payments are in accordance with federal and state guidelines for User Charge System and Industrial Cost Recovery System.

#### **Sec. 6-66. Protection of sewage works from damage.**

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, 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 the charge of disorderly conduct.

#### **Sec. 6-67. Powers and authority of inspectors.**

A. The duly authorized employees of the Village, the Illinois Environmental Protection Agency, and the U.S. Environmental Protection Agency, 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 Village's 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 waterway or facilities for waste treatment.

B. While performing the necessary work on private properties referred to in subsection A of this section, the duly authorized employees of the Village, the Illinois Environmental Protection Agency, and the U.S. 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 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 such which may be caused by negligence or failure of the company to maintain safe conditions as required.

C. The 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.

#### **Sec. 6-68. Penalties.**

A. Any person found to be violating any provision of this Article 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 violation of any provision of this chapter.

B. Any person who shall continue any violation beyond the time limit provided for in subsection A shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not less than thirty dollars (\$30.00) or more than five hundred dollars (\$500.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

C. Any person violating any of the provisions of this chapter shall become liable to the Village by reason of such violation.

#### **Sec. 6-69. Wastewater service charges.**

A. Basis for Wastewater Service Charges. The wastewater service charge for the use of and for service supplied by the wastewater collection system of the Village shall consist of a basic user charge, a debt service charge, a capital improvement charge, and any applicable surcharges.

B. The basic user charge is levied on all users to recover the operation, maintenance plus replacement (O, M & R) costs and shall be based on water usage as recorded by water meters or sewage meters for wastes having the following normal domestic concentrations:

1. A five-day, twenty-degree Celsius biochemical oxygen demand (BOD) of two hundred fifty milligrams per liter (mg/l).
2. A suspended solids (SS) content of three hundred fifty mg/l.

C. The basic user charge shall be computed as follows:

1. Estimate the annual wastewater volume.
2. Estimate the projected annual revenue required to operate and maintain the wastewater collection system, including a replacement fund for the year, for all works categories.



3. Proportion the estimated O, M & R costs to wastewater collection system categories by volume.

4. Compute costs per one thousand gallons for normal domestic strength sewage.

5. Compute surcharge costs per pound for BOD and SS concentration in excess of normal domestic strengths.

D. There shall be and there is hereby established a debt service charge of zero dollars per month to each user of the Village's sewer collection system.

E. The capital improvement charge is levied on users to provide for capital improvements, extensions, or reconstruction of the sewage collection system. The capital improvement charge is computed by apportioning the annual amount to be accrued as a fixed charge plus a charge per one thousand gallons.

F. A surcharge will be levied on all users the sewage discharged by whom in the Village's sewer system exceeds the normal domestic concentrations of BOD (two hundred fifty mg/l) and SS (three hundred fifty mg/l), if the board of trustees determines that a surcharge is necessary to pay any additional costs incurred by the Village due to the discharge of sewage described in this section. The surcharge will be based on water usage as recorded by water or sewage meters for all sewage which exceeds the two hundred fifty mg/l and three hundred fifty mg/l concentrations for BOD and SS respectively. The concentration of sewage used for computing surcharges shall be established by sewage sampling. Such sewage sampling shall be performed as often as deemed necessary by the Village and shall be binding as a basis for surcharges.

G. The adequacy of the wastewater service charge shall be reviewed, not less often than 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 local capital costs or O, M & R costs.

H. The users of the wastewater treatment services will be notified annually, in conjunction with a regular bill, of the rate and that portion of the user charge which are attributable to the sewage collection system's operation, maintenance and replacement.

I. Measurement of Flow. The volume of flow used for computing basic user charges shall be the metered water consumption read to the lowest even increments of one hundred gallons or less.

1. 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 a part of which is discharged into the public sewers, the person shall install and maintain, at his expense, water meters of a type approved by the Village for the purpose of determining the volume of water obtained from these other sources.

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

3. 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 cancelled, without the consent of the Village.

J. Basic User Charge. There shall be and there is hereby established a basic user charge of two dollars and seventy-five cents per one thousand gallons of metered water consumption or sewage discharged, plus a fixed charge of two dollars per month per user, to be applied to all users to recover O, M & R costs.

K. Reserved.

L. Capital Improvement Charge. There shall be and there is hereby established a capital improvement charge of two dollars per month to each user of the Village's sewage collection system.

M. Rates. A minimum charge shall be applied to all users whose water consumption does not exceed two thousand gallons per billing cycle. This minimum charge shall consist of the basic user charge for two thousand gallons of consumption, plus the fixed rate of two dollars per month for O, M & R cost and two dollars per month for capital improvement costs. (For bimonthly billing cycles, the minimum charge would be thirteen dollars fifty cents.) The rates and charges herein contained shall take effect on the next billing cycle.

N. Metered Services. At the time of adoption of this chapter, all water services in the Village are metered, and all new water services are required to be metered.

O. Surcharge Rates. The rates of surcharge for the BOD and SS shall be as follows:

per lb. of BOD:            None

per lb. of SS:            None

P. Computation of Wastewater Service Charge. The wastewater service charge shall be computed by the following formula:

$$CW = Cc + Cd + Cm + (Vu - X) * Cu + Cs$$

Where: CW = Amount of wastewater service charge (\$) per billing period.

Cc = Capital improvement charge.

Cd = Debt service charge.

Cm = Minimum charge for operation, maintenance, and replacement.

Vu = Wastewater volume for the billing period.

X = Allowable consumption in gallons for the minimum charge.

Cu = Basic user charge for operation, maintenance, and replacement.

Cs = Surcharges, if applicable.

## **Sec. 6-70. General Provisions.**

A. Bills. Bills or charges for sewer charges shall be rendered every month and shall be delinquent twenty-six (26<sup>th</sup>) days after their rendition; and in the event of failure to pay the bills within the twenty-six (26<sup>th</sup>) day period an additional charge of ten percent shall be added to the bill. Accounts not paid within twenty-six (26<sup>th</sup>) days of rendition shall be discontinued. The owner of any premises to which sewer service is rendered, the occupant thereof, and the user of the service shall be jointly and severally liable to pay for such service and such service is to be provided by the Village only upon condition of such joint and several liability.

B. Whenever a bill for sewer service remains unpaid for sixty days for service after it has been rendered, the Village may file with the Cook County Recorder of Deeds a statement of lien claim. This statement shall contain the legal description of the premises served, the amount of the unpaid bill, and a notice that the Village claims a lien for this amount as well as for all charges subsequent to the period covered by the bill.

1. If the user whose bill is unpaid is not the owner of the premises and the Village has notice of this, notice shall be mailed to the owner of the premises if his address be known to the Village, whenever such bill remains unpaid for the period of twenty days after it has been rendered.

2. The failure of the Village to record such lien or to make such notice or the failure of the owner to receive such notice shall not affect the right to foreclose the lien for unpaid bills as mentioned in the foregoing subsection.

C. Foreclosure of Lien. Property subject to a lien for unpaid charges shall be sold for nonpayment of the same, and the proceeds of the sale shall be applied to pay the charges, after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosure shall be by bill-in-equity in the name of the Village. The Village Attorney is hereby authorized and directed to institute such proceedings in the name of the Village in any court having jurisdiction over such matters against any property for which the bill has remained unpaid sixty days in the case of a bill after it has been rendered.

**6-71. Appeals.**

The method of computation of rates and service charges established shall be made available to a user within seven days of receipt of a written request for such. Any disagreement over the method used or in the computations thereof shall be remedied by the public works & water committee of the Board of Trustees within thirty days after notification of a formal appeal outlining the discrepancies.

Section 3: If any section, paragraph, clause, or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

Section 4: All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5: This ordinance shall be in full force and effect on \_\_\_ August 23, 2022 after its publication in pamphlet form.

ADOPTED this \_23rd\_ day of \_\_\_August\_\_\_, 2022, pursuant to a roll call vote as follows:

	AYES	NAYS	ABSENT	ABSTAIN
George Brewton			X	
David Dyson	X			
Tiffany Robinson	X			
Gregory Jackson			X	

Michael Collier	X			
Earnest Maxey	X			
Mayor Darren Bryant				
Total	4		2	

PASSED AND APPROVED on this 23RD day of August, 2022.

Darren E. Bryant  
 Darren E. Bryant, Mayor

ATTEST:

Sharon S. Dyson  
 Sharon S. Dyson, Village Clerk