

CHAPTER 24
SEWER REGULATIONS

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108	Connection of Sanitary Waste to Storm Water Drainage systems.	08.21.68
73-083	Storm Sewers and Surface Water.	11.28.73
73-094	Storm Water Detention.	12.27.73
74-043	Building Fees	04.02.74
74-108	Amending Sewer Maintenance Charges.	09.24.74
74-132	Discontinuance of Septic Tanks.	12.03.74
75-051	Combined Sewers	06.03.75
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77-001	Supervision of Sewer System and tapping sanitary sewers.	01.18.77
79-054	Tap on Fees.	09.18.79
80-007	Sewer regulations.	01.29.80
82-005	Defeated Motion to Amend Chapters 23 & 24 Implementing a One-step Rate Increase	02.05.82
82-006	Amending Water and Sewer Rates.	02.05.82
82-044	Amending by repealing the old Chapter 24 in its entirety and enacting in lieu thereof a new Chapter 24 titled "Sewer Regulations."	08.10.82
86-011	Connection to Village Water System	03.25.86
86-046	Replacing Chapter in its Entirety	08.12.86
88-083	Connection Charges	11.22.88
89-042	Connection Charges	04.25.89
89-060	Monthly Rates and Billing	05.23.89
89-091	Amending Chapter 24 in its Entirety	09.12.89
90-011	Amending Penalties	01.23.90
90-039	Amending Permits - Charges	03.27.90
90-052	Amending Rates	04.24.90
91-026	Amending Rates	04.23.91
92-040	Amending Rates	04.28.92

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93-008	Lien on Real Estate	01.26.93
93-046	Tap-on Fees	04.27.93
94-042	Amending Fees	04.26.94
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01-028	Sanitary Sewers	02.28.01
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01-101	Amending Certain Provisions of Chapters 23 & 24 (Late Payment Charges)	07.10.01
02-043	Amending Certain Provisions With Respect to Fees for Sewer Connections and Wastewater Service	04.23.02
03-023	Amending Chapters 17, 22, 24, 30 and 33	03.11.03
03-045	Amending Fees & Charges	04.22.03
04-052	Amending Fees & Charges	05.03.04
04-142	Amending Chapters 17, 22, 24, 25, 30 & 33	11.23.04
05-044	Amending Chapters 17, 24, 25, & 30	04.26.05
04-052	(Automatic Yearly Update) Amending Fees & Charges Updated 05.01.05	05.03.04

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<u>ORDINANCE</u>		<u>DATE PASSED</u>
06-023	Amending Chapters 17, 24, 30 & 33	02.28.06
04-052	(Automatic Yearly Update) Amending Fees & Charges Updated 08.22.06	05.03.04
04-052	(Automatic Yearly Update) Amending Fees & Charges Updated 05.01.07	05.03.04
07-124	Amending Chapters 17, 22, 23, 24, 25, 30 & 33 Re Fees, Landscaping & Public Improvements	10.23.07
08-018	Amending 24 Re Public & Private Sanitary Sewers	03.11.08
04-052	(Automatic Yearly Update) Amending Fees & Charges Updated 05.01.08	05.03.04
04-052	(Automatic Yearly Update) Amending Fees & Charges Updated 05.01.09	05.03.04
10-018	Amending Provisions of Chapters 17, 24 & 30	04.13.10
04-052	(Automatic Yearly Update) Amending Fees & Charges Updated 05.01.10	05.03.04

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CHAPTER 24 - SEWER REGULATIONS

ARTICLE 1 -- GENERAL PROVISIONS

Section 24-100. APPLICABILITY. This chapter shall apply to all water and sewer facilities located within the Village and operated and maintained by the Village, except as hereinafter provided.

Section 24-101. DEFINITIONS. For the purpose of this chapter, the following terms and phrases shall have the meanings given herein:

ADMINISTRATOR: the administrator of the U.S. Environmental Protection Agency.

APPROVING AUTHORITY: the Director of Public Works.

BASIC USER CHARGE: the basic assessment levied on all users of the public sewer system.

BOD (BIOCHEMICAL OXYGEN DEMAND): the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C, expressed in milligrams per liter.

BUILDING DRAIN: 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 (5') (1.5 meters) outside the inner face of the building wall.

BUILDING SEWER: the extension from the building drain to the public sewer or other place of disposal.

CAPITAL IMPROVEMENT CHARGE: a charge levied on users to improve, extend or reconstruct the sewage treatment works.

COMBINED SEWER: a sewer which is designed and intended to receive wastewater, storm, surface and groundwater drainage.

COMMERCIAL USER: includes apartments, transit lodging, retail and wholesale establishments or places engaged in selling merchandise or rendering service.

COMPOSITE SAMPLE: a sample which consists of several grab samples taken over a period of time or proportional to the waste stream flow. This sample is representative of the composition of the waste stream over a period of time.

CONTROL MANHOLE: 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 representative to sample and/or measure discharges.

DEBT SERVICE CHARGE: the amount to be paid each billing period for payment of interest, principal and coverage of loan, bond, etc., outstanding.

DIRECTOR: the director of the Illinois Environmental Protection Agency.

EASEMENT: an acquired legal right for the specific use of land owned by others.

EFFLUENT CRITERIA: defined in any applicable "NPDES Permit."

FEDERAL ACT: the Federal Clean Water Act (33 U.S.C. 466 et seq.) as amended (Pub. L. 95-217).

FEDERAL GRANT: the U.S. government participation in the financing of the construction of treatment works as provided for by Title II-Grants for Construction of Treatment Works of the Act and implementing regulations.

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

GARBAGE: solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of food.

GRAB SAMPLE: a sample which is representative of the composition of the waste stream at the time the sample is taken.

INDUSTRIAL WASTES: any solid, liquid or gaseous substance discharged, permitted to flow or escape 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.

INSTITUTIONAL/GOVERNMENTAL USER: includes schools, churches, penal institutions, and users associated with federal, state and local governments.

INSTITUTIONAL USERS: includes establishments engaged in manufacturing activities involving the mechanical or chemical transformation of materials of substance into products.

LOCAL CAPITAL COST CHARGE: charges for costs other than the Operation, Maintenance and Replacement costs, i.e., debt service and capital improvement costs.

MAJOR CONTRIBUTING INDUSTRY: an industrial user of the publicly owned treatment works that: (a) has a flow of 50,000 gallons or more per average work days; or (b) has a flow greater than 10% 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 issuant 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.

MILLIGRAMS PER LITER: a unit of the concentration of water or wastewater constituent. It is 0.001g of the constituent in 1,000 ml of water. It has replaced the unit formerly used

commonly, parts per million, to which it is approximately equivalent, in reporting the results of water and wastewater analysis.

NATURAL OUTLET: any outlet into a water course, ditch, pond, lake or other body of surface or ground water.

NPDES PERMIT: any permit or equivalent document of requirements issued by the Administrator or, where appropriated 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.

ORDINANCE: this chapter

PERSON: 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.

pH: the logarithm (base 10) of the reciprocal of the hydrogenion concentration expressed by one of the procedures outlined in the IEPA Division of Laboratories Manual of Laboratory Methods.

POPULATION EQUIVALENT: a term used to evaluate the impact of industrial or other waste on a treatment works or stream. One population equivalent is 100 gallons of sewage per day, containing 0.17 pounds of BOD and 0.20 pounds of suspended solids.

ppm: parts per million by weight.

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

PROPERLY SHREDDED GARBAGE: the wastes from the preparation, cooking, and dispensing of food that has been shredded to such 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 (1/2") (1.27 centimeters) in any dimension.

PUBLIC SEWER: 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.

REPLACEMENT: expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.

RESIDENTIAL USER: all dwelling units such as single family houses, duplexes, townhouses, condominiums, cooperative units, or mobile homes.

SANITARY SEWER: a sewer that conveys sewage or industrial wastes or a combination of both, and into which storm, surface and groundwaters or polluted industrial wastes are not intentionally admitted.

SEWAGE: used interchangeably with "wastewater."

SEWER: an underground or surface pipe or conduit for conveying sewage or any other waste liquids, including storm, surface and groundwater drainage.

SEWER CUSTOMER: the owner of each specific building or unit connected to the public sewer system.

SEWERAGE: the system of sewers and appurtenances for the collection, transportation and pumping of sewage.

SEWERAGE FUND: the principal accounting designation for all revenues received in the operation of the sewerage system.

SHALL: the use of the word "shall" is mandatory; "may" is permissible.

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

STANDARD METHODS: refers to the latest edition of **Standard Methods for the Examination of Water and Wastewater**.

STATE ACT: the Illinois Anti-Pollution Bond Act of 1970.

STATE GRANT: 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.

STORM SEWER: a sewer that carries storm, surface and ground water drainage but excludes sewage and industrial wastes other than unpolluted cooling water.

STORMWATER RUNOFF: that portion of the precipitation that is drained into the sewers.

SURCHARGE: the 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 the concentration values established in Section 24-701.

SUSPENDED SOLIDS (SS): 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 the Standard Methods.

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

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

USEFUL LIFE: the estimated period during which the collection system and/or treatment works will be operated.

USER CLASS: the type of user "residential, institutional/governmental, commercial" or "industrial" as defined herein.

VILLAGE: the Village of Bolingbrook, Illinois.

WASTEWATER: the spent water of a community. From this standpoint, 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 stormwater that may be present.

WASTEWATER FACILITIES: the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and to transport effluent to a watercourse.

WASTEWATER SERVICE CHARGE: the charge per month levied on all users of the Wastewater Facilities. The service charge shall be computed as outlined in Article 7 and shall consist of the total or the Basic User Charge, the Local Capital Cost and a Surcharge, if applicable.

WASTEWATER TREATMENT WORKS: an arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "pollution control plant."

WATERCOURSE: a channel in which a flow of water occurs, either continuously or intermittently.

WATER QUALITY STANDARDS: defined in the Water Pollution Regulations of Illinois.

Section 24-102. SUPERVISION OF SEWER SYSTEM. The Director of Public Works and the Village Engineer shall have direct responsibility for the construction, maintenance and care of that portion of the public sewer system of the Village which is owned or leased and operated and maintained by the Village and shall keep the same in good working order.

Section 24-103. CONSTRUCTION REQUIREMENTS

(A) Code Requirements. The size, slope, alignment, materials of construction of a building sewer and methods to be used in placing of the pipe, jointing, testing, etc. shall be in conformance with the specifications and requirements set forth in Chapter 25, Article 3, "Building, Plumbing, Electrical and Mechanical Regulations."

(B) Excavations. All excavations in connection with the work to be performed shall be made in accordance with the standards and requirements of Chapter 22, Article 1, "Streets, Sidewalks, Easements and Trees," except that the permit issued pursuant to this Chapter shall be in lieu of the permit required under said Chapter 22, Article 1, provided that all bonds required to be made under said Article shall have been filed. No excavation shall be backfilled before the work has been inspected and approved by the Village Engineer or his designated representative. All excavations 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.

(C) Notification. A contractor shall notify the Village Engineer at least twenty four (24) hours in advance of commencing any work covered by this Chapter and any connections shall be made under the supervision of the Village Engineer or his representative.

(D) Licensed Drain Layers, Etc. All work of laying underground sewers, water service (except for installation of house services) and building of masonry catch basins shall be done by or under the direct supervision of a person who holds a prequalification notice of the State of Illinois that is acceptable for the type of work to be performed.

(E) Separate Sewer. A separate and independent 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.

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

(G) Sewer Elevation. Unless approval is obtained in writing from the Director of Public Works to the contrary, all homes that have a basement or lower level below grade are required to have overhead plumbing. Sewage shall be lifted by a means which are approved in accordance with Section 24-402 hereof. (Ordinance 04-142, 11.23.04)

(H) Prohibited Connections. No person shall make connection of a roof downspout, exterior foundation drain, 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.

(I) Connections of Building Sewers. The connection of the building sewer into the public sewer shall conform to the requirements set forth in Chapter 25, Article 3, "Building, Plumbing, Electrical and Mechanical Regulations" or the procedures set forth in appropriate specifications of the American Society of Testing Materials, Water Pollution Control Federation Manual of Practice No. 9, and Standard Specifications for Water and Sewer Main Construction in Illinois. All such connections shall be made gas-tight and water-tight. Any deviation from the prescribed procedures and materials must be approved by the Village Engineer before installation.

Section 24-104. Consent. The filing of an application for a permit pursuant to this chapter shall be deemed consent by the owner or tenant of the premises involved to the entry upon such premises by the Village Engineer or his duly authorized representatives for the purpose of making such inspections.

ARTICLE 2 -- USE OF PUBLIC SEWERS REQUIRED

Section 24-200. UNLAWFUL PLACEMENT OF WASTE PROHIBITED.

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

Section 24-201. UNLAWFUL DISCHARGE INTO NATURAL OUTLET. 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 Chapter.

Section 24-202. PROHIBITED CONSTRUCTION. It shall be unlawful to construct any privy, privy vault, septic tank, cesspool, or other private facility intended or used for the disposal of sewage. (Ordinance 08-018, 03.11.08)

Section 24-203. CONNECTION TO PRIVATE SEWAGE DISPOSAL SYSTEMS PROHIBITED. (Changed in its entirety by Ordinance 08-018, 03.11.08)

(A) No building sewer shall be connected to a private sewage disposal system. As a condition of the issuance of a new certificate of occupancy for a building, or any portion thereof, all building sewers shall be connected to the public sanitary sewer system.

(B) With respect to existing houses, buildings or structures for which a new certificate of occupancy is not required, the owner of each house, building or structure which has access via a public right-of-way or easement to any public sanitary sewer of the Village is hereby required, at his expense, to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Chapter, within ninety (90) days after date of official notice to do so, provided that said public sewer is within two hundred feet (200') of the property line.

(C) With respect to a LEED-certified (Leadership in Energy and Environmental Design) governmental building or structure or with respect to a public park, connection to the public sanitary sewer system shall not be required if private sewage treatment is otherwise provided.

Section 24-204. REPAIR, MAINTENANCE OR REPLACEMENT OF SERVICE PIPE. Repair, maintenance or replacement of any service pipe from the property line to any building shall be the responsibility of the customer. Any work performed on said portion of the service pipe shall be in accordance with the regulations and requirements of this Chapter, including permit requirements, at the sole cost of the owner of the premises served. In the event of an emergency, the Village may make any such repairs and shall bill the owner of the premises for the cost of such work.

The Village shall be responsible for repair, maintenance and replacement of service pipes from the main sewer to the property line. A customer may be reimbursed for work performed on the Village's portion of the service line only if the Village is notified before such repair, maintenance or replacement is performed so that Village personnel may monitor such work and ascertain the Village's responsibility therefor. (Ordinance 92-096, 09.08.92)

ARTICLE 3 -- PRIVATE SEWAGE DISPOSAL

ENTIRE ARTICLE 3 REPEALED BY ORDINANCE 08-018, PASSED 03.11.08

ARTICLE 4 -- BUILDING SEWERS AND CONNECTIONS

Section 24-400. PERMITS.

(A) Required. No unauthorized person shall uncover, make any connections with, or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Village Engineer.

(B) Classes of Permits. There shall be two (2) classes of building sewer permits: (1) residential and (2) commercial, institutional/governmental or industrial wastewater service. In either case, the owner or his agent shall make application on a special form furnished by the Village.

(C) Application. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Village Engineer. A permit and inspection fee of Twenty-Five dollars (\$25.00) for a residential or commercial building sewer permit shall be paid to the Village at the time the application is filed.

(D) Inspections. All inspections required to be made in regard to permits issued under this Article shall be made by the Village Engineer or his authorized representative.

(E) Sufficiency of System. 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.

(F) Connection Charge. (Amended in its entirety by Ordinance 10-018, 04.13.10) The applicant for a permit pursuant to this Chapter 24 shall also, as a condition prerequisite to the issuance of a permit for connection to the publicly owned wastewater treatment plants of the Village of Bolingbrook, pay a connection charge for the use of the Village's wastewater treatment plants. The minimum amount of said charge shall be as follows:

- (1) For each detached single family dwelling unit: \$12,000.00
- (2) For each attached single family dwelling unit and townhouse: \$12,000.00
- (3) For each dwelling unit in a multiple family dwelling building: \$12,000.00
- (4) For all other buildings and uses, the connection charge shall be based on the tap size, as follows:

<u>TAP SIZE</u>	<u>METER SIZE</u>	<u>AMOUNT</u>
4"	for 1"	\$ 15,000.00
	for 1-1/2"	\$ 20,160.00
	for 2"	\$ 25,320.00
6"	for 1-1/2"	\$ 20,160.00

	for 2" meter set	\$ 25,320.00
	for 3" meter set	\$ 80,640.00
8"	for 1-1/2"	\$ 31,032.00
	for 2" meter set	\$ 43,512.00
	for 3" meter set	\$124,128.00

Buildings with a water service size greater than eight inches (8") will be charged an additional ten percent (10%) for each inch over eight inches (8").

For buildings with a meter size over 3", the sanitary sewer tap-on fee will be based on the expected water usage with the fee being set proportional to a single family home on a \$ per p.e. basis, all as determined by the Director of Public Works.

Tap size is the size of the watermain that comes into the building for both domestic use and fire sprinklers. Service size is the domestic water pipe size.

For multi-tenant buildings using one master meter, the tap-on fee shall be calculated separately for each tenant. This fee may be adjusted by the Director of Public Works if the applicant can demonstrate to the Director's satisfaction that the fee is excessive based on the expected water usage when compared to the fee charged to residential units.

In existing buildings or tenant spaces which are being remodeled or expanded, the Village may charge an additional tap-on fee if the water service/meter size needs to be increased. The amount of the fee will be equal to the standard fee for the new service/meter size minus that standard fee for the old service/meter size.

(G) In the event that the Village incurs extraordinary or additional facilities costs beyond those normally and customarily required to enable the customer to utilize wastewater treatment service (e.g., oversized sewer mains, lift stations, additional treatment capacity, etc.), a tap-on surcharge shall be added to the minimum wastewater treatment plant connection charge set forth hereinabove. The Village Engineer shall determine the appropriate amount of the tap-on surcharge to be charged the customer based upon (1) the total amount of extraordinary or additional costs incurred by the Village; (2) an allocation of the extraordinary or additional Village costs to each benefited customer property; and (3) interest on the allocated amount at the rate of six percent (6%) per annum compounded annually from the date of completion of the extraordinary or additional facilities to the date of payment of the surcharge, provided, however, the interest in no event shall exceed thirty three percent (33%) of the original principal allocation. The Village Engineer's determination of the tap-on surcharge shall be recorded with the Recorder of Deeds of Will or DuPage County, as appropriate, and shall identify the customer properties subject to the tap-on surcharge and the amount of the tap-on surcharge applicable to each such property. Any preexisting or future surcharge amount shall be added to the connection charge set forth in Subsection 24-400(F) hereof. (Ordinance 06-023, 02.28.06)

Section 24-401. UNLAWFUL DISPOSAL. All disposal by any person into the sewer system is unlawful except those discharges in compliance with Federal Standards promulgated pursuant to the Federal Act and more stringent state and local standards.

Section 24-402. COSTS AND EXPENSES OF CONSTRUCTION. All costs and expenses incidental 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.

ARTICLE 5 -- USE OF THE PUBLIC SEWERS

Section 24-500. UNLAWFUL DISCHARGE INTO SANITARY SEWER. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

Section 24-501. LAWFUL DISCHARGE OF STORMWATER. Stormwater 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 Director of Public Works. Industrial cooling water or unpolluted process waters may be discharged on approval of the Director of Public Works to a storm sewer, combined sewer, or natural outlet.

Section 24-502. UNLAWFUL DISCHARGE INTO PUBLIC SEWER. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- (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, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant;
- (3) any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works; or
- (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 fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

Section 24-503. DISCHARGE OF HARMFUL WASTES PROHIBITED. 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 Director of Public Works that such wastes can harm either the sewer, 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 Director of Public Works will give consideration to such factors as the quantities of subject wastes in relation to flow 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 150 degrees F (65 degrees C);
- (2) any waters or wastes containing toxic or poisonous materials or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32 degrees F and 150 degrees F (0 - 65 degrees C);

- (3) any garbage that has not been properly shredded (installation and operation of any garbage grinder equipped with a motor of 3/4 hp (.76 hp metric) or greater shall be subject to the review and approval of the Director of Public Works);
- (4) any waters or wastes containing strong acid, iron pickling wastes, or concentrated plating solution, 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 Director of Public Works 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 Director of Public Works 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 Director of Public Works in compliance with applicable state and federal regulations;
- (8) any wastes or waters having a pH in excess of 9.5;
- (9) any mercury or any of its compounds in excess of 0.0005 mg/l as Hg at any time except as permitted by the Director of Public Works in compliance with applicable state and federal regulations;
- (10) any cyanide in excess of 0.025 mg/l at any time except as permitted by the Director of Public Works 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, 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 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; or
- (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.

Section 24-504. WASTES HAVING DELETERIOUS EFFECT. If any waters or wastes are to be discharged into the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 24-503 hereinabove, 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 Director of Public Works 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 Director of Public Works may:

- (a) reject the wastes;
- (b) require pretreatment to an acceptable condition for discharge to the public sewers;
- (c) require control over the quantities and rates of discharge; and/or;
- (d) 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 this Article.

If the Director of Public Works 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 Engineer and subject to the requirements of all applicable codes, ordinances and laws.

Section 24-505. INTERCEPTORS. Grease, oil and sand interceptors shall be provided when, in the opinion of the Director of Public Works, 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 Engineer and shall be located so as to be readily and easily accessible for cleaning and inspection.

Section 24-506. COST OF PRELIMINARY TREATMENT OR FLOW EQUALIZING FACILITIES. 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.

Section 24-507. CONTROL MANHOLE REQUIRED. Each industry shall be required to install a control manhole and, when required by the Director of Public Works, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Village Engineer. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible to the Director of Public Works or his representative at all times.

Section 24-508. MEASUREMENTS, TESTS AND ANALYSES. The owner of any property serviced 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, but no less than once per year the industry 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.

Section 24-509. CRITERIA FOR MEASUREMENT. All measurements, tests, and analyses of the characteristics of water and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of **Standard Methods** and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls, whereas pH's are determined from periodic grab samples.

Section 24-510. SPECIAL ARRANGEMENTS. No statement contained in this article 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 Article 7 of this Chapter, by the industrial concern, provided such payments are in accordance with federal and state guidelines for user charge system.

Section 24-511. 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 charge of disorderly conduct.

ARTICLE 6 -- POWERS AND AUTHORITY OF INSPECTORS

SECTION 24-600. AUTHORIZED INSPECTORS. The Director of Public Works, the Village Engineer and other 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 Director of Public Works 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.

Section 24-601. OBSERVANCE OF SAFETY RULES. While performing the necessary work on private properties in Section 24-600 hereinabove, the Director of Public Works or 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 liability claims and damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain conditions as required in Section 24-510.

Section 24-602. ENTRY TO PROPERTIES PERMITTED. The Director of Public Works and other duly authorized employees of the Village being proper credentials and identification shall be permitted to enter all private properties through which the Village holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE 7 -- WASTEWATER SERVICE CHARGES.

(Amended in its entirety by Ordinance 01-028, 02.27.01)

Section 24-700. BASIS FOR WASTEWATER SERVICE CHARGES.

(A) The wastewater treatment charge for the use of and for service supplied by the wastewater facilities of the Village shall consist of a basic user charge, a debt service charge, a capital improvement charge and applicable surcharges.

(B) The wastewater collection charge shall be as provided in Section 24-701 hereof.

Section 24-701. WASTEWATER COLLECTION CHARGE. (Ordinance 04-052, 05.03.04 - Updated 05.01.10) There shall be and is hereby established a wastewater collection charge of \$0.38 (as of 05.01.10) per 1,000 gallons of metered water consumption to be applied to all users of the Village's wastewater collection system. On May 1, 2005, and on May 1 of each year thereafter, the aforesaid charge shall be increased over the previous year's charge by three percent (3%).

Section 24-702. BASIC WASTEWATER TREATMENT CHARGE. The basic wastewater treatment charge is levied on all users of the Village's wastewater treatment facilities and consists of the following charges:

(A) **OM&R Charge.** An operation, maintenance plus replacement (OM&R) charge based on water usage as recorded by water meters or sewage meters for wastes having the following normal domestic concentrations:

- (1) A 5 day, 20 degree C biochemical oxygen demand (BOD) of 200 mg/l.
- (2) A suspended solids content of 240 mg/l.

The basic wastewater treatment charge shall be computed as follows:

- (1) Estimate the annual wastewater volume, pounds of BOD and pounds of SS to be treated.
- (2) Estimate the projected annual revenue required to operate and maintain the wastewater facilities, including a replacement fund for the year for all works categories.
- (3) Proportion the estimated OM&R costs to each user class by volume, BOD and SS.
- (4) Proportion the estimated OM&R costs to wastewater facility categories by volume, BOD and SS.
- (5) Compute costs per 1,000 gallons for normal domestic strength sewage.
- (6) Compute surcharge costs per pound for BOD and SS concentrations in excess of normal domestic strengths;

(B) **DEBT SERVICE CHARGE.** A debt service charge, which is computed by apportioning the annual debt service for the wastewater treatment facilities (as a charge per 1,000 gallons); and

(C) **CAPITAL IMPROVEMENT CHARGE.** A capital improvement charge is levied on users to provide for capital improvements, extensions or reconstruction of the wastewater treatment facilities.

The capital improvement charge is computed by apportioning the annual amount to be accrued as a charge per 1,000 gallons.

Section 24-703. SURCHARGE. A surcharge will be levied to all users whose waters exceed the normal domestic concentrations of BOD (200 mg/l) and SS (240 mg/l). The surcharge will be based on water usage as recorded by water meters or sewage meters for all wastes which exceed the 200 mg/l and 240 mg/l concentrations for BOD and SS respectively. The concentration of wastes used for computing surcharges shall be established by waste sampling. Waste sampling shall be performed as often as may be deemed necessary by the Director of Public Works and shall be binding as a basis for surcharges.

Section 24-704. REVIEW OF WASTEWATER TREATMENT CHARGES. The adequacy of the wastewater treatment charge shall be reviewed not less often than annually by certified public accountants for the Village in their annual audit report. The wastewater treatment charge shall be revised periodically to reflect a change in local capital costs of OM&R costs.

Section 24-705. NOTIFICATION OF WASTEWATER TREATMENT USERS. The users of wastewater treatment services will be notified annually, in conjunction with a regular bill, of the rate and that portion of the user charges which is attributable to the wastewater treatment operation, maintenance and replacement.

Section 24-706. MEASUREMENT OF FLOW.

(A) The volume of flow used for computing wastewater treatment user charge and surcharges shall be the metered water consumption read to the lowest even increments of one gallon.

(B) A person discharging wastes into the Village wastewater treatment facilities shall install and maintain, at his expense, water meters of a type approved by the Director of Public Works for the purpose of determining the volume of water obtained from these other sources.

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

(D) 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 without the consent of the Director of Public Works unless service is cancelled.

Section 24-707. WASTEWATER TREATMENT CHARGES AND RATES.

(A) Basic Wastewater OM&R Charge. There shall be and is hereby established a basic OM&R charge of \$1.15 (as of 05.01.10) per 1,000 gallons of metered water consumption to be applied to all wastewater treatment users to cover OM&R costs. (Ordinance 04-052, 05.03.04 - Updated 05.01.10)

(B) Debt Service Charge. There shall be and is hereby established a debt service charge of \$0.31 (as of 05.01.10 - No Change) per 1,000 gallons to be applied to all users of the wastewater treatment facilities. (Ordinance 04-052, 05.03.04 - Updated 05.01.10)

(C) Capital Improvement Charge. There shall be and is hereby established a capital improvement charge of \$0.13 (as of 05.01.10) per 1,000 gallons to be applied to all users of the wastewater treatment facilities. (Ordinance 04-052, 05.03.04 - Updated 05.01.10)

(D) Charges for Non-Metered Users. All non-metered residential users of the wastewater treatment facilities shall pay a flat rate charge of \$14.28 (as of 05.01.10) per month. The flat rate charge consists of \$10.29 (as of 05.01.10) for OM&R costs, \$2.67 (as of 05.01.10) for debt service costs, and \$1.32 (as of 05.01.10) for capital improvement costs. The flat rate charge will allow a maximum of 9,000 gallons per month. In the event use of the wastewater treatment facilities is determined by the Director of Public Works to be in excess of 9,000 gallons per month, the Director of Public Works may require such flat rate user to install metering devices on the water supply or sewer main to measure the amount of service supplied. (Ordinance 04-052, 05.03.04 - Updated 05.01.10)

(E) Surcharge Rates. The rates of surcharges for BOD and SS shall be as follows:

- (1) Per lb of BOD: \$0.49
- (2) Per lb of SS: \$0.43 (No Change)

(Ordinance 04-052, 05.03.04, Updated 05.01.10)

(F) Computation of Wastewater Treatment Service Charge. The wastewater treatment 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 (Section C)
CD	=	Debt Service Charge (Section B)
CM	=	Minimum charge for operation, maintenance and replacement (Section D)
Vu	=	Wastewater volume for the billing period
X	=	Allowable consumption in gallons for the minimum charge (Section D)
CU	=	Basic Wastewater OM&R Charge for operation, maintenance and replacement (Section A)
CS	=	Surcharges, if applicable (Section E)

(G) Yearly Increase in Charges. On May 1, 2005, and on May 1 of each year thereafter, the charges set forth in Subsections (A), (B), (C), (D) and (E) shall be increased over the previous year's charge by three percent (3%). (Ordinance 04-052, 05.03.04)

Section 24-708. BILLS.

(A) Rates or charges for wastewater collection and/or wastewater treatment service shall be payable monthly. The owner of the premises, the occupant thereof and the user of the service shall be jointly and severally liable to pay for the service to such premises and the service is furnished to the premises by the Village only upon the condition that the owner of the premises, occupant and user of the services are jointly and severally liable therefor to the Village.

(B) Bills for service shall be sent out by the Finance Director in accordance with billing cycles established by the Finance Director.

(C) Sewer service charges shall be paid on or before the due date indicated on the statement. A late payment charge equal to 1½% per month on any amount for sewer services considered past due shall be assessed to a customer's account. Each customer shall be entitled to one automatic waiver of this charge each calendar year. A customer shall be deemed to have paid on time when a customer mails any payment in the net amount of a bill for service and such payment is received at the Village's office not more than two full business days after the due date indicated on the bill. Late payment charges will not (a) continue to be assessed on any final bill which has been outstanding for more than 12 months; (b) be assessed on any amount billed which is not for utility services; and (c) be assessed on the amounts, if any, owing to units of federal, state, county, and local government other than the Village until 45 days from the date of the issuance of the bill for utility services. (Ordinance 01-101, 07.10.01)

Section 24-709. DELINQUENT BILLS. If the charges for such services are not paid within forty-five (45) days, such services shall be discontinued and shall not be reinstated until all claims are settled.

Section 24-710. LIEN ON REAL ESTATE. Delinquent wastewater collection and/or wastewater treatment service charges shall be a lien on the premises, as provided by law. Whenever a statement for sewer service remains unpaid sixty (60) days after it has been rendered, the Village Collector may file with the Recorder of Deeds of Will or DuPage County a notice of the lien claim. This notice shall contain the legal description of the premises served, the amount of the unpaid statement, and an assertion that the Village claims a lien for this amount as well as for the amount of all charges subsequent to the period covered by this statement.

If the consumer or user whose statement is unpaid is not the owner of the premises in question, the Village Collector shall send to the owner or owners of record of the real estate, as referenced by the taxpayer's identification number, (a) a copy of each delinquency notice sent to the person who is delinquent in paying the charges or rates or other notice sufficient to inform the owner or owners of record, as referenced by the taxpayer's identification number, that the charges or rates have become delinquent and (b) a notice that unpaid charges or rates may create a lien on the real estate under this Section.

The notice of lien shall consist of a sworn statement setting out (a) a description of such real estate sufficient for the identification thereof, (b) the amount of money due for such service, and (c) the date when such amount became delinquent. The Village Collector shall send a copy of the notice of the lien to the owner or owners of record of the real estate, as referenced by the taxpayer's identification number. The Village has the power to foreclose this lien in the same manner and with the same effect as in the foreclosure of mortgages on real estate.

The Village also has the power, from time to time, to sue the occupant or user of the real estate in a civil action to recover the money due for services rendered, plus a reasonable attorney's fee, to be fixed by the court. Whenever a judgment is entered in such a civil action, the foregoing provisions in this section with respect to filing sworn statements of such delinquencies in the office of the recorder and creating a lien against the real estate shall not be effective thereafter as to charges sued upon and no lien shall exist thereafter against the real estate for the delinquency. Judgment in such a civil action operates as a release and waiver of the lien for the amount of the judgment.

Section 24-711. FORECLOSURE OF LIEN/RELEASE OF LIEN.

(A) 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 for forty-five (45) days after it has been rendered. (Ordinance 01-28, 02.27.01)

(B) Upon the payment by the owner, or other person interested in the property, of the outstanding lien balance, any costs incurred by the Village in filing or releasing said lien, and the administrative fees of the Village associated therewith, the Village shall issue a release of such lien for filing in the Office of the Recorder of Deeds. (Ordinance 01-28, 02.27.01)

Section 24-712. REVENUES.

(A) All revenues and monies derived from the operation of the sewerage system shall be deposited in the sewerage account of the sewerage fund. All such revenues and monies shall be held by the Finance Director separate and apart from his private funds and separate and apart from all other funds of the Village, and all of said sums, without any deductions whatsoever, shall be delivered to the Finance Director not more than ten (10) days after receipt of the same, or at such more frequent intervals as may from time to time be directed by the Village President and Board of Trustees.

(B) The Finance Director shall receive all such revenues from the sewerage system and all other funds and monies incidental to the operation of such system as the same may be delivered to him and deposit the same in the account of the fund designated as the "Sewerage Fund of the Village." Said Finance Director shall administer such fund in every respect in the manner provided by statute of the "Revised Cities and Villages Act," effective January 1942.

Section 24-713. ACCOUNTS

(A) The Finance Director shall establish a proper system of accounts and shall keep proper books, records and accounts in which complete and correct entries shall be made of all transactions relative to the sewerage system, and at regular annual intervals he shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the sewerage system.

Section 24-714. ACCESS TO RECORDS. The IEPA or its authorized representative shall have access to any books, documents, papers and records of the Village which are applicable to the Village system or user charges for the purpose of making audit, examination, excerpts and transcriptions thereof to insure compliance with the terms of the special and general conditions to any state or federal grant.

Section 24-715. EFFECTIVE DATE OF RATES. The rates and service charges in this Article 7 shall be effective as of March 13, 2001. (Ordinance 01-028, 02.27.01)

Section 24-716. APPEALS. The method for computation of rates and service charges established for user charges in this Article shall be made available to a user within thirty (30) 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 Finance Director within thirty (30) days after notification of a formal written appeal outlining the discrepancies. (Ordinance 01-028, 02.27.01)

ARTICLE 8 -- AUTHORITY

Section 24-801. AUTHORITY. It shall be the duty of the Director of Public Works or his designated representative to investigate any notice of violation and to serve notice to such person or company which is in violation of this Chapter. Such notice shall normally mean that the person or company in violation has ten (10) working days (2 weeks) to correct such violation, unless immediate hazard to the public will result, in which case appropriate action should be taken immediately by the violator or Village as required. If the Village or its employees perform such corrective action, a bill will be submitted to the violator in addition to any appropriate fine. Notification shall be by letter or citation as is appropriate for the particular instance.

Section 24-802. PENALTY. The penalty for violation of any provision of this Article shall be One Hundred Dollars (\$100.00), and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Ordinance 90-011, 01.23.90).