

# TITLE 8 WATER AND SEWER REGULATIONS

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# CHAPTER 1

## WATERWORKS AND WASTEWATER FACILITIES

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### 8-1-1: COMBINED SYSTEM:

It is hereby found, determined and declared necessary and for the best interests of the City that the waterworks system and the sanitary wastewater facilities of the City be combined

into a single utility to be known and designated as the combined waterworks and sewerage system of the City and all property, real, personal, and mixed, comprising the waterworks system and wastewater facilities of the City, be and the same is hereby found, determined and declared to constitute the properties of the combined waterworks and wastewater facilities, including all improvements and extensions to either or both of said systems. (Ord. 95-15-1, 11-14-1995)

### **8-1-2: JURISDICTION OF WATER AND SEWER DEPARTMENT:**

There is hereby established an executive department of the City to be known and designated as the combined Water and Sewer Department of the City. The management and control of said Department shall be placed in charge of the City Administrator, appointed by the Mayor, who shall together with such officers and employees designated by him be in responsible charge of the supervision, management and control of the combined system, and of all matters and things connected with the improvement and extension of the combined system and preserving the property belonging thereto. (Ord. 95-15-1, 11-14-1995)

### **8-1-3: DIRECTOR; DUTIES:**

There shall be a Public Works Director, appointed by the City Administrator with the advice and consent of the Mayor, who shall have supervision over all facilities, buildings and equipment used or useful in the furnishing of water and sewer service in the City and shall see that the object and purposes of the Water and Sewer Department are carried out on an economical business-like basis, and in this connection, it shall be the duty of the Director and all of the officers and employees of said Department to enforce all of the provisions of this Title.

The Director shall prepare and keep in his office a complete atlas of the waterworks and wastewater facilities together with all valves, hydrants, water service connections and appurtenances of the system distinctively recorded therein. The Director shall report activities of the Department and make recommendations to the Administrator as his direct supervisor. (Ord. 95-15-1, 11-14-1995)

### **8-1-4: POWER AND AUTHORITY OF INSPECTORS; INSPECTION:**

The Director and other duly authorized employees of the City, 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 Title. The Director or his representative 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 into the sewers or waterway or facilities for waste treatment. (Ord. 95-15-1, 11-14-1995)

### **8-1-5: SAFETY RULES:**

While performing the necessary work on private properties referred to in Section 81-4 of this Chapter, the Director or duly authorized employees of the City, the Illinois Environmental Protection Agency, and the U.S. Environmental Protection Agency shall observe all safety rules applicable to the premises established by the Illinois Department of Labor, the Federal Occupational Health and Safety Administration and the company, and the company shall be held harmless for injury or death to the City's employees and the City shall indemnify the company against loss or damage to its property by the City's 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 operations, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in this Title or by applicable State and Federal safety regulations. (Ord. 95-15-1, 11-14-1995)

### **8-1-6: INSPECTION ON EASEMENTS:**

The Director and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the observation, measurement, sampling, repair and maintenance of any portion of the wastewater facilities lying within a said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved. (Ord. 95-15-1, 11-14-1995)

### **8-1-7: COMPENSATION:**

The Director and other officers and employees of the Water and Sewer Department shall receive, as compensation for their services, amounts to be determined by the City Administrator from time to time. (Ord. 95-15-1, 11-14-1995)

### **8-1-8: DEPARTMENT REPORT:**

The Director, together with the Treasurer of the City, shall prepare and submit a written report, no later than the fifth day of the month of a bimonthly period, or more often if required, to the City Administrator listing, but not limited thereto, the following data:

- A. Water billings and sewer billings for services rendered.
- B. Collections received.
- C. Applications approved for new services and fees received.

- D. Expenditures incurred and accounts charged.
- E. Cash balances at the beginning and end of the billing period.
- F. Volume of water distributed, billed and unaccounted for.
- G. Number of metered and unmetered customers connected to the system.
- H. Details of any major repairs, improvement to and extension of the system or details pertinent to his duties in the conduct of his office. (Ord. 95-15-1, 11-141995)

### **8-1-9: BOOKS OF ACCOUNT:**

All revenues derived from the operation of the water and wastewater facilities shall be deposited into the accounts of the Water and Sewer Fund. All such revenues and monies shall be held by the City Treasurer separate and apart from his or her private funds and separate and apart from all other funds of the City and all of said sum, without any deductions whatsoever, shall be delivered to the City Treasurer not more than ten (10) days after receipt of the same, or at such more frequent intervals as may from time to time be directed by the City Administrator.

The Treasurer shall receive such revenues of the combined system and such other funds and monies received in the operation of the system as the same may be delivered to his or her and deposit the same in a separate fund designated as the "Water and Sewer Fund" of the City. The Treasurer shall administer such fund in every respect in the manner provided by article 62 of the "Revised Cities and Villages Act" and all laws amendatory thereof and supplementary thereto.

The Treasurer shall establish a proper system of accounts and shall keep proper books, records, and accounts in which complete and correct entries shall be made of all transactions relative to the waterworks and wastewater facilities and shall maintain separate accounting of the receipts and expenditures of the Water and Sewer Department, and at regular annual intervals he or she shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the waterworks and wastewater facilities. All such books, accounts and records pertaining to said office shall at all reasonable times be open to the inspection of the City Council, to any member thereof, or to any holder of outstanding waterworks and sewerage revenue bonds, or any duly authorized agent or agents of such holder. (Ord. 95-15-1, 11-14-1995)

### **8-1-10: BANK DEPOSITS:**

The City shall, not later than forty eight (48) hours after the receipt thereof, deposit into the properly authorized account of the City all monies collected from any source whatsoever, taking such bank's deposit ticket or receipt, in duplicate therefor, one of which receipts shall

be filed with the City Treasurer. The City is expressly prohibited from retaining monies of the City in any account other than the deposits of the same in the proper bank to the credit of the City and within the time which is hereby prescribed for the deposits of the same. (Ord. 95-15-1, 11-14-1995)

### **8-1-11: DUTIES OF CITY ADMINISTRATOR:**

The City Administrator shall direct such employees or agents of the City to read water meters, prepare and distribute bills, collect the water and sewer rates, issue water and sewer permits and shall perform such other duties as now or may hereafter be imposed upon him by law or by the ordinances of the City. (Ord. 95-15-1, 11-14-1995)

### **8-1-12: BILLS:**

Said rates or charges for service shall be payable each monthly period. 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 City only upon the condition that the owner of the premises, occupant, and user of the services are jointly and severally liable therefore to the City.

Bills for water and sewer services shall be sent out by the City on the first day of the month succeeding the period for which the service is billed commencing August 1, 2007.

All municipal utility bills are due and payable eighteen (18) days after being sent out. A penalty of ten dollars (\$10.00) or ten percent (10%) of total amount due, whichever is greater, shall be added to all bills not paid by the eighteenth day after they have been rendered. (Ord. 2007-23, 07-17-2007)

### **8-1-13: DELINQUENT BILLS:**

If the charges for such services hereinabove mentioned are not paid within twenty-six (26) days after the rendition of the bill for such services, notice shall be given by U S mail, or as otherwise directed by the Administrator, to said user and said service shall be discontinued without further notice and shall not be reinstated until all past due bills, including the penalties thereon, are paid in full together with the payment of fifty dollars (\$50.00) to cover the cost of notification and of reinstating the service. (Ord. 2007-23, 07-17-2007)

### **8-1-14: BILLS LESS THAN TEN DOLLARS:**

In the event that a user's bill is for an amount less than ten dollars (\$10.00) and that bill is unpaid after eighteen (18) days no such penalty or delinquent charge or action shall apply. Instead, said bill amount shall be applied to the next regularly scheduled bill for that user. (Ord. 2007-23, 07-17-2007)

### **8-1-15: LIEN; NOTICE OF DELINQUENCY:**

Whenever a bill for water and sewer service remains unpaid for twenty-six (26) days after the rendition of the bill for such service, the City may file with the 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, the date when such amount became delinquent and a notice that the City claims a lien for this amount as well as for all charges subsequent to the period covered by the bill.

If the user whose bill is unpaid is not the owner of the premises and the City has notice of this, notice shall be mailed to the owner of the premises if his/her address is known to the City, whenever such bill remains unpaid for the period of twenty-six (26) days after it has been recorded.

The failure of the City to record such lien or to mail 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 Section 8-1-16 of this Chapter. (Ord. 2007-23, 07-17-2007)

### **8-1-16: 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 action shall be in the name of the City. The City Attorney is hereby authorized and directed to institute such proceedings in the name of the City in any court having jurisdiction over such matters against any property for which the bill has remained unpaid for twenty-six (26) days after it has been rendered. (Ord. 2007-23, 07-17-2007)

### **8-1-17: PENALTY:**

Any person, violating any provisions of this Chapter shall be fined not less than twenty five dollars (\$25.00) nor more than five hundred dollars (\$500.00) for each offense. (Ord. 95-15-1, 11-14-1995)

### **8-1-18: ACCESS TO RECORDS:**

The IEPA or its authorized representative shall have access to any bonds, documents, paper, and records of the City which are applicable to the City system of user charges for the purpose of making audit, examination, excerpts, and transcriptions thereof to ensure compliance with the terms of the special and general conditions to any State grant or loan agreement and rules of any State loan. (Ord. 95-15-1, 11-14-1995)

### **8-1-19: PERMIT REQUIRED:**

No person, shall install or repair any sanitary sewer or make any water main connection without first obtaining a written permit for such work from the City. (Ord. 95-15-1, 11-141995)

### **8-1-20: APPLICATIONS; CONNECTIONS:**

Any person, desiring to make any connection with said combined system or use water therefrom shall first make application to said City upon a blank form or forms furnished by said Department. Said application shall contain an agreement on the part of the applicant that all the rules, regulations, conditions and provisions of any ordinance relating to the waterworks system or wastewater facilities will be complied with; that all water rates, sewer rates, assessments and rents and all fines and penalties assessed, charged or imposed against said applicant upon the property described in said application will be paid. When all of the provisions of the ordinances of the City have been complied with, a permit shall then be issued by the City authorizing the connection to be made and specifying the size thereof.

No service pipe shall be laid or used to supply water to two (2) or more distinct premises or buildings unless a separate curb stop and buffalo box for each of the premises or buildings shall be placed outside of such premises in the parkway as hereinafter provided and a permit fee shall be obtained for each service. A separate water meter and outside meter reader for each of the premises, as specified by the City, shall also be required. (Ord. 95-15-1, 11-14-1995)

### **8-1-21: CONNECTION FEES:**

The fees to be charged for a permit to tap or otherwise make a connection with any water or sewer main shall be determined in such manner and in amounts as shall be prescribed by ordinance adopted by the City Council from time to time. Whenever any permit for a connection with the water or sewer mains of the City is issued, only the employees of said City so designated for the work or a contractor properly licensed as designated by the City shall tap the mains of said system where such connection is to be made. (Ord. 95-15-1, 11-14-1995)

### **8-1-22: ADMINISTRATION:**

The City is hereby authorized to adopt such rules and regulations as recommended by the City Administrator and Director of Public Works consistent with this Title for connection to the waterworks and wastewater facilities, specifying the type and size of pipes and all other appurtenances and extensions thereto, and amend the same from time to time as may be deemed necessary. All service pipes and connections to the combined system shall comply with the said specifications and rules. Any person not complying with the specifications and rules for connections to the combined system shall be subject to a penalty as hereinafter provided.



The City hereby specifies that the minimum size water line for a single-family dwelling shall be one inch (1 "). The size and type of water service lines for buildings other than single-family dwellings shall be specified by the City when a tap to the water main is requested.

The City does hereby specify that all water mains, storm sewers, sanitary sewers and utility services installed along, upon or under any of the streets in the City or in any new subdivision or within the City, shall be installed as follows:

- A. All water mains and storm sewers shall be installed on the same side of the street.
- B. Utility services and sanitary sewers shall be installed on the opposite side of the street from the water mains and storm sewer mains.
- C. No utility services are to be installed on the same side of the street as the water main installation. (Ord. 95-15-1, 11-14-1995)

### **8-1-23: OPENING IN STREETS; PROTECTION:**

All openings made in streets and sidewalks shall be protected at all times by sufficient barriers, on which signal lights or flares shall be placed and maintained after dark. The owner of the premises for which the work is being done shall notify the Water and Sewer Department when the street is fully obstructed by the opening. A security deposit in the amount of five hundred dollars (\$500.00) is required for each street opening. (Ord. 95-15-1, 11-14-1995)

### **8-1-24: PERFORMANCE BOND:**

No permit for a water or sewer connection, or water and sewer main extension, shall be issued by the City unless the person applying therefor or the contractor shall have filed with the City a performance bond with corporate surety acceptable to the City thereon in the sum of five thousand dollars (\$5,000.00) for a water or sewer connection; and for a sewer or water main extension, a sum equal to one and one-half (1<sup>1/2</sup>) times the estimated cost of the work to be done. Such performance bond shall be approved by the City, conditioned upon the applicant indemnifying and saving harmless the City for any and all damage to underground utilities or to the water and sewer mains and laterals of the City and from any failure to restore any road, ditch, pavement or portion thereof damaged during the construction of the sewer or water service connection, or the sewer or water main extension, to the condition at the commencement of construction. (Ord. 95-15-1, 11-14-1995)

### **8-1-25: INSURANCE:**

No permit for a water or sewer connection, or water and sewer main extension, shall be issued unless the person applying therefor or the contractor shall have first procured public

liability insurance in an amount of not less than one hundred thousand dollars (\$100,000.00) for injuries, including accidental death, to any one person and subject to the same limit for each person in an amount not less than three hundred thousand dollars (\$300,000.00) on account of one accident, and property damage insurance in an amount not less than fifty thousand dollars (\$50,000.00). The persons to be indemnified and saved harmless in said insurance policy shall be the City of Genoa, DeKalb County, Illinois, and the applicant for the water and/or sewer connection or extension. A certificate of said insurance shall be filed with the City. (Ord. 95-15-1, 11-14-1995)

### **8-1-26: RATES INSIDE CORPORATE LIMITS:**

All consumers, users or properties in the City shall pay such rates for the use and service of the waterworks and wastewater facilities in such manner and amounts as shall be prescribed by ordinance of the City Council from time to time. (Ord. 95-15-1, 11-14-1995)

### **8-1-27: RATES OUTSIDE CORPORATE LIMITS:**

All users of the waterworks and wastewater facilities of the City occupying premises not within the limits of said City shall be charged rates to be determined by the City Council from time to time. (Ord. 95-15-1, 11-14-1995)

### **8-1-28: ACCESS TO PREMISES:**

The Director, or his/her designee, shall have reasonable access at reasonable times to the premises, place or buildings served by said waterworks and wastewater facilities and it shall be unlawful for any person or corporation to interfere with, prevent or obstruct said inspector in his work hereunder. Every user of said system shall use the same upon the conditions prescribed in this Title. (Ord. 95-15-1, 11-14-1995)

### **8-1-29: EXTENSION OF PUBLIC WATER MAINS AND SANITARY SEWERS:**

A. No person shall uncover, make any connection with or opening into, use, alter or disturb any public water main and/or sanitary sewer of the City for the purpose of extending same without first making application to the Director for making said extension and to have the proposed extension approved by the City.

B. Persons desiring such extension of the water and/or sewer system shall file with the Director four (4) copies of the following documents:

1. Detailed plans and specifications prepared by a registered professional engineer registered in the State of Illinois.
2. IEPA permit applications with such supporting documents as are required by the IEPA, completely filled out and ready for City signature(s).

3. Detailed estimate of cost of the extension.

C. After approval of the plans and specifications by the City Engineer and receipt of an IEPA permit the person or persons shall submit to the Director the following documents prior to starting the extension:

1. Agreement and bond executed by the permittee wherein he agrees to make and install the improvements in accordance with the plans and specifications specifying a completion date not more than six (6) months after the date of the agreement unless the City Board determines, on the basis of the recommendation of the City Engineer, that a longer time is necessary.

The guarantee for completion of the improvements by the permittee shall be in the principal amount of one hundred fifty percent (150%) of the estimated cost as approved by the City Engineer; and secured by either:

a. A certificate of deposit with or an escrow account at a federally insured bank or savings and loan association subject to draw by the City to complete the improvements if it is not completed within the prescribed time limit.

b. A clean, nondeclining, irrevocable letter of credit issued by a federally insured bank or savings and loan association. The letter shall be approved by the City and provide that funds may be drawn only by the City. The bond shall remain in effect for a period of one year after acceptance of the work by the City Engineer as a guarantee of good faith of the permittee to correct defects. At the discretion of the City the bond may be reduced during the maintenance period.

2. Copies of all permits, insurance and bonds required for street openings or stream crossings and any other permits required by an agency having jurisdiction.

3. Certificates of insurance protecting the City from any liability or damage whatsoever from injury, including death, to any person or property. The amount of the insurance shall be as established by the City.

D. Person or persons extending water or sewer shall agree as follows:

1. To pay all cost of plan review by the City Engineer. Payment shall be made to the City prior to the City signing the IEPA permit applications.

2. To pay all costs of inspection including resident supervision if deemed necessary by the City Engineer. The estimated cost of inspection, approved by the City Engineer, shall be deposited with the Treasurer prior to the start of work and additional funds added during the work if required. The permittee, however, shall pay only the actual costs of such

services based on standard engineering fees. At the completion of the work any unused portion of the amount deposited shall be returned. No interest shall be paid on deposited funds.

3. Materials and construction methods shall be in conformance with specifications established by the City Engineer.
  4. The engineer designing the extension shall file as-built drawings at the completion of the work to the City.
- E. The performance bond will not be released until the following documents are filed with the City and approved by the City Council:
1. As-built drawings: one reproducible set and two (2) sets of prints;
  2. Release of all permits; and
  3. Copies of all tests required by the Director or the City Engineer.
  4. The guarantee period has expired.
- F. No extension will be allowed to the sanitary sewer system if the City determines that the wastewater facilities have inadequate available capacity. (Ord. 95-15-1-, 11-14-1995)

### **8-1-30: EMERGENCY RESTRICTIONS:**

- A. Emergency Limitations, Water: Whenever, in the judgment of the Mayor, public exigency may require it, he shall have the right and authority by proclamation, to be published in a newspaper printed within the County, to limit in respect to time, or wholly suspend or prohibit for such length of time as such exigency shall, in his judgment require, the use of water for any nonessential purpose, and no person shall use or draw water in violation of any such proclamation.
- B. Emergency Limitations, Wastewater: In any case of making repairs or alterations or constructing new facilities or for any other reason, the Mayor reserves the right to limit the discharge of wastewater to the wastewater facilities for as long as may be necessary by giving reasonable notice thereof as shall be practicable to the user. No claim shall be made against the City by reason of the above or by any reason of the breakage or failure of any portion of the wastewater facilities.
- C. Shutting Off Water: In case of making repairs or alterations or constructing new facilities or for other reasons, the City reserves the right to shut off the water at once and keep it shut off as long as may be necessary by giving such reasonable notice thereof as shall

be practicable to user. No claim shall be made against the City 'by reason of the above or by reason of the breakage or failure of any pump, or other portion of the water system.

- D. Access To Equipment: No person shall in any manner obstruct access to any valve, hydrants, stopcock, manhole, flow ^ measuring equipment or any other equipment necessary to the operation of the water or wastewater facilities which is located in any public street, alley or easement. (Ord. 95-151, 11-14-1995)

## C H A P T E R 2 D E F I N I T I O N S

**SECTION:**

**8-2-1: Definitions**

**8-2-1: DEFINITIONS:**

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

APPROVING AUTHORITY	The City Council of the City.
BOD (Denoting Biochemical Oxygen Demand)	The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at twenty degrees (20° C), expressed in milligrams per liter.
BASIC USER CHARGE	The basic assessment levied on all users of the public sewer system.
BASIC USER RATE	The assessment levied on all users of the sewer system based upon water consumption metered wastewater discharged.
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 point of connection of the sewer and appurtenances to the wastewater facilities.
CITY	The City of Genoa, DeKalb County, Illinois.

COMBINED SEWER	A sewer which is designed and intended to receive wastewater, storm, surface and ground water drainage.
COMMERCIAL USER	Shall include transit, lodging, retail and wholesale establishments or places engaged in selling merchandise, or rendering services.
COMPATIBLE POLLUTANT	BOD, suspended solids, fecal coliform bacteria, plus any additional pollutants identified in the NPDES permit issued to the City.
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 City representative to sample and/or measure discharges.
DEBT SERVICE RATE	The variable debt service rate per user to be paid each billing period for payment of interest, principal and other requirements of outstanding bonds of the City based upon metered water consumption.
DIRECTOR	The Director of Public Works of the City or his authorized deputy, agent or representative.
EASEMENT	An acquired legal right for the specific use of land owned by others.
EFFLUENT CRITERIA	Defined in any applicable "NPDES Permit"
FATS, OILS, AND GREASES (FOG)	Waxes, oils, or any other material that is extracted by Freon solvent.
FEDERAL ACT	The Federal Water Pollution Control Act (33 USC 1251 et seq.) as amended by the Federal Water Pollution Control Act Amendments of 1972 (Public Law 92-500 and Public Law 93-243)
FLOATABLE OIL	Oil, fat or grease in physical state such that it will separate by gravity from wastewater.
GARBAGE	Solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of food.
INCOMPATIBLE POLLUTANT	Any pollutant that is not a compatible pollutant.
INDUSTRIAL USERS	Shall include establishments engaged in manufacturing activities involving the mechanical or chemical transformation of materials of substance into products.
INDUSTRIAL WASTE	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.
INFILTRATION	The water entering a sewer system, including building drains and sewers, from the ground, through such means as, but not limited to, defective pipes, pipe joints, connections, or manhole walls. (Infiltration does not include, and is distinguished from, "inflow".)
INFILTRATION/INFLOW	The total quantity of water from both infiltration and inflow without distinguishing without distinguishing the source .
INFLOW	The water discharge into a sewer system, including building drains and sewers, from such sources as, but not limited to, roof leaders, cellar, yard, and area drains, foundation drains, unpolluted cooling water discharges, drains from springs and swampy areas, manhole covers, cross-connections from storm sewers, and combined sewers, catch basins, storm waters, surface runoff, street waters, or drainage. (Inflow does not include, and is distinguished from, "infiltration".)
INSTITUTIONAL/GOVERNMENTAL USER	Shall include schools, churches, penal institutions, and users associated with Federal, State, and local governments.
MAJOR CONTRIBUTING INDUSTRY:	Any individual user of the publicly owned treatment works that: a) has a flow of fifty thousand (50,000) gallons or more per average work day; or b) has a flow greater than then percent (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.
MAY	"May" is permissive.
MILLIGRAMS PER LITER (MG/1)	A unit of the concentration of water or wastewater constituent. It is 0.001 g 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.
NPDES PERMIT	Any permit or equivalent document or requirements

	issued by the City 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.
NATURAL OUTLET	Any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.
OPERATION AND MAINTENANCE COSTS	All costs, direct and indirect (other than debt service) necessary to ensure adequate wastewater treatment on a continuing basis, conforming with related Federal, State and local requirements, and assuring optimal long-term facility management (these costs include depreciation and replacement).
PARKWAY	A portion of road right of way that extends from the curb or edge of pavement to a homeowners property line, (which is designated for utility uses and public improvements, such as public sidewalks and trees).
pH	The logarithm (base 10) of the reciprocal of the hydrogenion concentration expressed by the one of the Manual of Laboratory Methods.
ppm	Parks per million by weight.
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.
POPULATION EQUIVALENT	A term used to evaluate the impact of industrial or other waste on a treatment works or stream. One population equivalent is one hundred (100) gallons of sewage per day, containing 0.17 pounds of BOD and 0.20 pounds of suspended solids. The impact on a treatment works is evaluated as the equivalent of the highest of the three (3) parameters. Impact on a stream is the higher of the BOD suspended solids parameters.
PRETREATMENT	The treatment of wastewater from sources before introduction into the wastewater treatment works.
PRIVATE PROPERTY	Private ownership as determined by property ownership records.
PROPERLY SHREDDED GARBAGE	The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1/2") (1.27 centimeters) in any dimension.
PRIVATE RIGHT OF WAY	Dedicated for public streets and alleys.



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 works were designed and constructed. The term "operation and maintenance" includes replacement.
RESIDENTIAL USER	All dwelling units such as houses, mobile homes, apartments, permanent multi-family dwellings.
SANITARY SEWER	A sewer that conveys sewage or industrial wastes or a combination of both, and into which storm, surface, and ground water or polluted industrial wastes are not intentionally admitted.
SEWER	A pipe or conduit for conveying sewage or any other waste liquids, including storm, surface and ground water drainage.
SEWERAGE	The system of sewers and appurtenances for the collection, transportation and pumping of sewage.
SHALL	"SHALL" is mandatory.
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 twenty four (24) hour concentration or flows during normal operation.
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 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, the basic user rate and debt service charge which is levied on those persons whose wastes are greater in strength than the concentration values established in this Title.
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

	IEPA Division of Laboratories Manual of Laboratory Methods.
TITLE	This Title 8.
USEFUL LIFE	The estimated period during which the collection system and/or treatment works will be operated.
USER CHARGE	A charge levied on users of treatment works for the cost of operation, maintenance and replacement.
WASTEWATER	The spent water of a community. From this standpoint of course, it may be a combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any ground water, surface water, and storm water that may be present.
WASTEWATER FACILITIES	The structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and transport effluent to a watercourse.
UNPOLLUTED WATER	Water quality equal to or better than the effluent criteria in effect or water that would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.
WASTEWATER SERVICE CHARGE	The charge per monthly period levied on all users of the wastewater facilities. The service charge shall be computed as outlined in Chapter 6 of this Title and shall consist of the total of the basic user charge and the basic user rate, and if applicable, a debt service charge, a debt service rate and a surcharge.
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"
WASTEWATER AND SEWER FUND	The principal accounting designation for all revenues received and expenses incurred in the operation of the waterworks and/or wastewater facilities. These revenues and expenses shall be accounted for so that water systems revenues and expenses shall be recorded in the waterworks account of the Water and Sewer Fund and revenues and expenses of the wastewater facilities shall be recorded in the sewer account of the Water and Sewer Fund.
WATER QUALITY STANDARDS	Defined in Water Pollution Regulations of Illinois.
WATERCOURSE	A channel in which a flow of water occurs, either continuously or intermittently. (Ord. 95-15-1, 11-14-1995)

(Ord. 95-15-1, 11-14-1995)

## **CHAPTER 3 WATER FACILITIES REGULATIONS**

### **SECTION:**

- 8-3- 1: Use Of Public Water Facilities Required**
- 8-3- 2: Prohibition On Purchase Of Water Private**
- 8-3- 3: Water Supply**
- 8-3- 4: General Requirements For Use Of Public Water**
- 8-3- 5: Water Service Pipe Requirements**
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### **8-3-1: USE OF PUBLIC WATER FACILITIES REQUIRED:**

The owner of all houses, buildings, or properties constructed after the effective date hereof situated within the City and abutting on any street, alley or right of way in which there is now located or may in the future be located a public water main of the City, is hereby required to make a connection to the water facilities of the City in accordance with the provisions of this Chapter; provided, that the water main is within three hundred feet (300') of the nearest property line or within ninety (90) days after official notice that a water main is available. (Ord. 95-15-1, 11-14-1995)

### **8-3-2: PROHIBITION ON PURCHASE OF WATER:**

No person, having its residence or place of business within the corporate limits of the City, shall be permitted to buy water from any other municipal corporation or other public utility for such residence or place of business located in the City whenever the waterworks system of said City is within three hundred feet (300') of its property.

Any person violating this Section shall be fined not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00) and each day of violation shall be deemed as a separate violation of this Section. (Ord. 95-15-1, 11-14-1995)

### **8-3-3: PRIVATE WATER SUPPLY:**

#### A. Definitions:

“Person” is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns.

“Potable water” is any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing foods. (Ord 2013-22, 12-03-13)

B. Except at points of withdrawal operated by the City of Genoa, the use or attempt to use as a potable water supply groundwater from within the corporate limits of the City of Genoa by the installation or drilling of wells or by any other method is hereby prohibited. (Ord 2013-22, 12-03-13)

C. Industrial Users: Whenever an industrial user requires water for industrial purposes, and the City determines that the public water facilities have inadequate capacity to provide the volume or rate flow required by said industry, the user may be required to install a private water supply complying with the provisions of this Section;

provided, however, that the private water supply not be used for any purpose except for industrial purposes.

- D. Permit Requirements: Before commencement of construction of a private water supply, the owner shall first obtain a written permit signed by the Public Works Director or the Building Inspector for the City. The application for such permit shall be made on a form furnished by the City which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Public Works Director or the Building Inspector for the City. A permit and inspection fee of ten dollars (\$10.00) shall be paid to the City at the time the application is filed.
- E. Meter Required: Whenever a private water supply is provided and used, the owner shall install a water meter to measure the water pumped as required in Section 8-3-9 of this Chapter.
- F. Cross-connection of a private water supply with the public system shall be prohibited.
- G. Availability Of Public Water Supply: When a public water supply is available, as provided in Section 8-3-1 of this Chapter, a water connection shall be made to the public water system of the City. The water connection shall include the extension of the public water to the farthest property line and the installation of a water service pipe, all in accordance with the provisions of this Chapter. Where the extension of the public water system of the City directly benefits other properties, the City may enact a recapture ordinance in accordance with the provisions of the Illinois Compiled Statutes. (Ord. 95-15-1, 11-14-1995)
- H. Penalties: Any person violating the provisions of this ordinance shall be subject to a fine of up to \$500.00 per day for each day the violation exists, for each violation (Ord 2013-22, 12-03-13).

#### **8-3-4: GENERAL REQUIREMENTS FOR USE OF PUBLIC WATER:**

- A. No person shall make a connection to the public water facilities without first making application to the City for the privilege of making said connection and to have a written permit approved by the Public Works Director and to pay all applicable fees.
- B. Persons desiring such connection to the water facilities of the City shall, in addition to making application, fully state all purposes for which water is required and answer all questions put to them by the Public Works Director relating to the proposed water consumption. In the case of any fraudulent representation on the part of the user, the payment will be forfeited and the supply of water stopped.
- C. No permit will be issued allowing connection to be made to the public water system until the applicant has completed the following:

1. Pays the tapping fee as prescribed in this Section.
2. Pays the cost of the meter (meter fee)'.  
'
3. Secures a street opening permit in conformance with the provisions of Section 7-1-5 of this Code.
4. Agrees to pay all costs of the installation of said service.
5. Agrees to give the Public Works Director a minimum of twenty four (24) hours' notice prior to the start of the installation of the service and when service shall be ready for inspection; except, that inspections will be made only during regular City working hours.
6. Agrees that all materials used and the method of installation shall be in conformance with specifications established by the City.
7. Agrees to conform to all rules governing plumbers and to the regulations of the Illinois State Plumbing Code<sup>2</sup>.
8. Agrees to secure and protect the City from any liability or damage whatsoever for injury (including death) to any person or property and fees with the City liability insurance certificates. (Ord. 95-15-1, 11-14-1995)

### **8-3-5: WATER SERVICE PIPE REQUIREMENTS**

- A. Materials: The water service pipe extends from the City water main to and includes the curb stopcock which shall be located in a public right of way or an easement as directed by the Public Works Director. The pipe, valves and fittings used for the service pipe shall be as specified or as provided by the City. The tap to the water main shall be made in accordance with the provisions set forth in this Chapter.
1. See Section 8-3-11 of this Chapter.
  2. See Section 9-1-3 of this Code.
  3. See subsection 12-3-2C of this Code.
- B. Cost; Installation; Maintenance: All water service pipes connected to City mains shall be installed by and at the cost of the owner of the property to be served. Such installation shall be under the supervision of the Director or his designee. The City will maintain the water service pipe.
- C. Building Service Pipe: The building service pipe extends from the curb stopcock to the building and shall be installed by the owner of the property at his expense using

State licensed plumbers. The building service pipe shall be the same size and same material as the water service pipe and shall be inspected by the Public Works Director.

- D. Maintenance of Building Service Pipe: Persons using water must do so at their own expense. The property owner must keep the building service pipe in good repair, protect it from frost or any other damage and prevent all unnecessary waste of water. It shall be the duty of the property owner to maintain the building service pipe from the curb stopcock to the house. If the property owner fails to properly maintain the building service pipe, the Public Works Director shall have the authority to enter onto the property and provide maintenance and repairs as required by the City or the City's approved contractor. The cost of the maintenance and repairs shall be collected in the same manner and with the same remedies as for collection of charges for water services.
- E. The City may bill the owner of the property for the cost of the maintenance and repairs by adding said costs to the water bill for the premises served, provided, however, the City may, at the discretion of the Public Works Director, enter into a reimbursement agreement with the owner of the property. The reimbursement agreement would allow the owner to pay for the maintenance and repair work performed by the City or the City's contractor by making not more than twelve (12) monthly payments due on the same date as the City's charges for water and wastewater services (Ord 2014-29, 12-2-2014).

### **8-3-6: INSTALLATION OF WATER SERVICE PIPES:**

The connection from the main to the curb stop shall be placed at least five and one-half feet (5' 1/2') below the level of the ground and the service pipe shall be placed in such manner as to prevent rupture or breakage from settling of the ground. All service pipes shall be of type K copper tubing and shall be of not less than one-inch (1 ") nominal diameter.

- A. Shut-off boxes or buffalo boxes shall be placed on every service pipe, and shall be located so that they are easily accessible and shall be protected from frost.
- B. Each water service pipe shall be connected with said water main and shall extend horizontally at right angles with said water main to the adjoining property line, and shall there be provided with a bronze. A curb stop of not less than one inch (1") in diameter to be installed within a telescopic shut-off box of the best quality of cast iron or first-grade steel pipe, as specified by the City.
- C. The water main must be tapped at an angle of forty five degrees (45°) with the vertical, and the corporation stop must be turned so that the T handle will be on top.

D. Excavations for installing service pipes or repairing the same shall be made in compliance with the ordinance provisions relating to making excavations in streets' and shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City. (Ord. 95-15-1, 11-14-1995)

### **8-3-7: SEPARATE WATER SERVICES FOR EACH USE:**

A separate water service pipe is required for every building or residence. Where a building contains more than one commercial or industrial user or where the building contains a combination of commercial or industrial and residential uses, there shall be separate services for each use. (Ord. 95-15-1, 11-14-1995)

### **8-3-8: INSPECTION AND APPROVAL OF SERVICE PIPES:**

All service pipes and connections shall be inspected and approved by the Director or other persons under his direction and no such service pipes shall be covered until they have been so inspected. (Ord. 95-15-1, 11-14-1995)

### **8-3-9: METERS REQUIRED:**

All premises using water supplied by the City must be equipped with an adequate water meter furnished by the City. The cost of all such water meters shall be paid by the user at a price determined by the City from time to time relative to the cost thereof. The water meter shall be and remain for all times the property of the City.

All meters shall conform to design, construction and installation specifications established by the Director and no substitutions will be allowed at any time.

Water meters shall be located at such places and in such manner as the said Director shall direct, within the premises to be served or in boxes or vaults as he shall determine and all such installations shall be made in accordance with the specifications to be prescribed by the said Director and such meter locations must be so situated as to prevent freezing of water flowing through such meters.

One Meter Per Use: In the event a building contains more than one use, a meter is hereby required for each use, unless the building contains only residential dwelling units, and the use of a single meter for the building is approved by the City. (Ord. 95-15-1, 11-14-1995)

### **8-3-10: METER INSTALLATION AND MAINTENANCE:**



All new water meters shall be required to have outside water meter reading equipment or remote reading capabilities installed with the meter. All meters and remote reading equipment installed shall be furnished by the City and the cost shall be borne by the property owner.

Only officers or employees of the Public Works Department shall be allowed to place, install, repair, or in any manner interfere with the meter. A meter stop or valve shall be placed on each side of the meter.

All water meters shall be installed by the City, or its designee. A three (3) working day notice shall be given to the City for each water meter installation.

The ordinary cost of keeping each meter in repair shall be paid by the City. The applicant for service or the then owner and/or occupant of the premises served shall be jointly and severally liable for any breakage or damage done to such meter. Such damage may include the theft thereof, freezing, or breakage and the cost of making good for such damage as the bill for same is presented shall be a charge against the premises for which the meter was installed to the extent and with the same effect as rates charged for water service.

It shall be unlawful for any person to injure, deface, mar, destroy or in any manner to interfere with any meter. It shall be the duty of the owner or occupant to promptly notify the said Department of defects in any such meter or of its failure to promptly register the quantity of water passing through the same.

In cases where it is temporarily impractical to set a meter, the use and consumption of water shall be governed by other applicable provisions of this Title. (Ord. 95-15-1, 11-14-1995)

### **8-3-11: METER FEES:**

A meter fee is hereby established and said fees shall be paid at the time application is made to the City for a building permit, connection to the City water main, or for construction and use of any private water supply. Meter fees shall be paid in accordance to Chapter 6 of this Title. (Ord. 95-15-1, 11-14-1995)

### **8-3-12: METER ACCURACY AND TESTING:**

- A. Each meter shall be required to remain accurate within plus or minus three percent ( $\pm 3\%$ ).
- B. Should any user of a meter owned by the City suspect that a meter is not conforming to the measure of accuracy stated in subsection A of this Section, the user shall submit, in writing, to the City, a request for testing of meter accuracy.

Accompanying this request, the user shall make a refundable deposit for this service as specified in Section 8-6-5 of this Title. (Ord. 95-15-1, 11-14-1995)

### **8-3-13: RIGHT OF ACCESS:**

The Director and every person authorized by him and all meter inspectors shall have reasonable access to the premises, place or building where such meters are located for the purpose of reading, examining, testing and repairing the same, and examining and testing consumption, use and flow of water, and it shall be unlawful for any person or corporation to interfere with, prevent or obstruct said Director or such other person or inspector in his work hereunder. Every consumer of water shall take the same upon the conditions prescribed in this Title. (Ord. 95-15-1, 11-14-1995)

### **8-3-14 : WATER SUPPLY FOR SPRINKLER OR FIRE PROTECTION SERVICE:**

- A. Whenever sprinkler or fire protection services are desired, application must be made for the privilege of installing such service. Complete plans for installation shall be attached to such petition. When said application is approved, a contract shall be entered into with the City for connection from City mains to the property, which connection will be made by and the cost of same to be paid by the user.
- B. City water will not be supplied to any sprinkler or fire protection service, unless all pipes in connection with such system are left exposed for inspection and pressure testing.
- C. A valve shall be installed with a rising stem on each side of the check valve, and each shall have the valve operating handle accessible for operation outside of the building.
- D. No additional sprinkler heads shall be installed or new connections of any kind whatsoever shall be made to a sprinkler or fire protection system, unless a permit for such connection has been granted by the City.
- E. Where a reservoir is maintained on any premises in connection with a sprinkler or fire protection system or for any other special service, the water service shall be connected with such reservoir in such a manner as to exclude all danger of cross-connection, backflow, and back siphonage. The method of connection shall be determined by the Public Works Director, inspected and approved upon installation. (Ord. 95-15-1, 11-14-1995)

### **8-3-15: FIRE HYDRANTS:**

- A. Use Restricted: All hydrants constructed in the City for the purpose of extinguishing fires are hereby declared to be public hydrants. No persons other than members of the G-K Fire Protection District and those authorized by the Public Works Director shall open any such hydrant or attempt to draw water from same or in any manner interfere with or injure any of such hydrants.
- B. Obstruction Prohibited: No person shall obstruct the use of any fire hydrant or place any material in front thereof. Any material forming such obstruction may be removed by the City or by the G-K Fire Protection District. The cost of removal shall be borne by the owner thereof.
- C. Hydrant Wrenches: No person shall use any water hydrant wrenches without permission of the Public Works Director.
- D. Temporary Use: Any person wishing to make connection to a hydrant as a temporary source of water for construction or other purposes shall upon approval by the Public Works Director make application to the City. The user shall make a deposit of two hundred dollars (\$200.00) for each meter which shall be returned less twenty five dollars (\$25.00) per week or portion thereof for meter rental, one hundred twenty five percent (125%) of the rate defined under Chapter 6 of this Title, and any cost of maintenance and repair to the meter(s). Meters will be supplied as available. No temporary meter shall be installed between November 15 and April 15 or at any other time where there is a danger of freezing. Temporary meters shall be installed on a weekly basis and payment for the use shall be weekly. (Ord. 95-15-1, 11-14-1995)

### **8-3-16: TAPPING WATER MAINS:**

Whenever a permit for a connection to the water mains of the City is issued hereunder, only an approved contractor who is a licensed plumber and has filed in the Finance Office a properly executed bond, certificate of liability coverage, and has paid all applicable fees shall tap the main of said system where such water service pipe connection is to be made and shall insert the corporation stop.

All materials, including corporation stops, curb stops, buffalo boxes, meter boxes, or any other appurtenance installed in connection with the waterworks system of the City, shall meet specifications prescribed by the Public Works Director (Ord 2015-19, 10-6-2015).

No new connection with any water mains of said City shall be less than one inch (1 ").

All connections made to the waterworks system shall be made under the supervision of the Director thereof, and no connection shall be covered until the work has been inspected by the City. (Ord. 95-15-1, 11-14-1995)

### **8-3-17: INSPECTION FEE:**

An inspection fee shall be paid to the City at the time of building permit application or application for connection to the waterworks system, whichever occurs first, in the amount established in Chapter 6 of this Title. (Ord. 95-15-1, 11-14-1995)

### **8-3-18: CONNECTION FEE:**

A fee is hereby established for the privilege of connection to the waterworks system in the amount prescribed in Chapter 6 of this Title. (Ord. 95-15-1, 11-14-1995)

### **8-3-19: PERFORMANCE BOND:**

No permit for a water connection or a house connection, or a water extension shall be issued by the City unless the person applying therefor, or the contractor shall have filed with the City a performance bond with corporate surety thereon in the sum of five thousand dollars (\$5,000.00) for a water connection or a house connection; and for a water extension, a sum equal to one and one-half (1.5) times the estimated cost of the work to be done. Such performance bond shall be approved by the Administrator of the City, conditioned upon the applicant indemnifying and saving harmless the City for any and all damage to underground utilities or to the water mains and laterals of the City and from any failure to restore any road, ditch, pavement or portion thereof damaged in as good condition as said applicant or contractor found them. A water connection extension shall be accomplished by boring only beneath the road and sidewalk and any open cutting is not allowed except by special permit of the City. (Ord. 95-15-1, 11-14-1995)

### **8-3-20: INSURANCE:**

No permit for a water connection extension shall be issued by the City unless the person applying therefor, or the contractor shall have first procured public liability insurance in an amount not less than fifty thousand dollars (\$50,000.00) for injuries, including accidental death, to any one person and subject to the same limit for each person in an amount not less than one hundred thousand dollars (\$100,000.00) on account of one accident, and property damage insurance in an amount not less than fifty thousand dollars (\$50,000.00). The persons to be indemnified and saved harmless in said insurance policy shall be the City and the applicant for water connection or water extension. A certificate of said insurance shall be filed with the City. (Ord. 95-15-1, 11-14-1995)

### **8-3-21: RESTORATION OF STREETS AND PUBLIC WAYS:**

Excavations for providing connection to the waterworks system repairing the same shall be made in compliance with the ordinance provisions relating to making

excavations in streets' and in accordance with all applicable EPA standards and the Illinois Plumbing Code. (Ord. 95-15-1, 11-14-1995)

### **8-3-22: COMPLIANCE WITH EXISTING LAWS:**

A connection with a public water supply system including all materials, supplies, appurtenances and methods of construction and installation shall comply with the existing laws and rules, the Illinois State Plumbing Code' and the provisions of this Code. (Ord. 95-15-1, 11-14-1995)

### **8-3-23: NONRESIDENT USAGE:**

No water service shall be provided to properties outside the corporate limits of the City without the approval of the City Council and any such services, whenever permitted, shall be charged such rates as shall from time to time be established by ordinance of the City.

- A .Any person owning or controlling premises located outside the corporate limits of the City and desiring to install a plumbing system on said premises and connect the same to the water system of the City, may do so by complying with the requirements of this Chapter and by paying connection fees one hundred fifty percent (150%) of the amount applicable within the corporate limits of the City and by paying the water bills in force or which may thereafter be adopted.
- B. If said premises are adjacent to the City, the applicant must agree to extend the public water main across the property to the furthest point from the corporate boundary and then annex to the City. Otherwise the City Council has the right to refuse water service. (Ord. 95-15-1, 11-14-1995)

### **8-3-24: EXTENSION OF PUBLIC WATER MAINS AND SANITARY SEWERS:**

- A. No person shall uncover, make any connection with or opening into, use, alter or disturb any public water main and/or sanitary sewer of the City for the purpose of extending same without first making application to the Director for making said extension and to have the proposed extension approved by the City.
- B. Persons desiring such extension of the water and/or sewer system shall file with the Director four (4) copies of the following documents:
  - 1. Detailed plans and specifications prepared by a registered professional engineer registered in the State of Illinois.

2. IEPA permit applications with such supporting documents as are required by the IEPA, completely filled out and ready for City signature(s).
3. Detailed estimate of cost of the extension.

C. After approval of the plans and specifications by the City Engineer and receipt of an IEPA permit, the person or persons shall submit to the Director the following documents prior to starting the extension:

1. Agreement and bond executed by the permittee wherein he agrees to make and install the improvements in accordance with the plans and specifications specifying a completion date not more than six (6) months after the date of the agreement unless the City Board determines, on the basis of the recommendation of the City Engineer, that a longer time is necessary.

The guarantee for completion of the improvements by the permittee shall be in the principal amount of one hundred fifty percent (150%) of the estimated cost as approved by the City Engineer; and secured by either:

- a. A certificate of deposit with or an escrow account at a federally insured bank or savings and loan association 'subject to draw by the City to complete the improvements if it is not completed within the prescribed time limit.
- b. A clean, nondeclining, irrevocable letter of credit issued by a federally insured bank or savings and loan association. The letter shall be approved by the City and provide that funds may be drawn only by the City.

The bond shall remain in effect for a period of one year after acceptance of the work by the City Engineer as a guarantee of good faith of the permittee to correct defects. At the discretion of the City the bond may be reduced during the maintenance period.

2. Copies of all permits, insurance and bonds required for street openings or stream crossings and any other permits required by an agency having jurisdiction.
3. Certificates of insurance protecting the City from any liability or damage whatsoever from injury, including death, to any person or property. The amount of the insurance shall be as established by the City. 8-3-24 8-3-25

C. Person or persons extending water or sewer shall agree as follows:

1. To pay all cost of plan review by the City Engineer. Payment shall be made to the City prior to the City signing the IEPA permit applications.

2. To pay all costs of inspection including resident supervision if deemed necessary by the City Engineer. The estimated cost of inspection, approved by the City Engineer, shall be deposited with the Treasurer prior to the start of work and additional funds added during the work if required. The permittee, however, shall pay only the actual costs of such services based on standard engineering fees. At the completion of the work any unused portion of the amount deposited shall be returned. No interest shall be paid on deposited funds.
3. Materials and construction methods shall be in conformance with specifications established by the City Engineer.
4. The engineer designing the extension shall file as-built drawings at the completion of the work to the City.

D. The performance bond , will not be released until the following documents are filed with the City and approved by the City-Council:

1. As-built drawings: one reproducible set and two (2) sets of prints;
2. Release of all permits; and
3. Copies of all tests required by the Director or the City Engineer.
4. The guarantee period has expired.

No extension will be allowed to the sanitary sewer system if the City determines that the wastewater facilities have inadequate available capacity. (Ord. 95-15-1-, 11-14-1995)

### **8-3-25: EMERGENCY RESTRICTIONS:**

- A. Emergency Limitations; Water: Whenever in the judgment of the Mayor public exigency may require it, he shall have the right and authority by proclamation, to be published in a newspaper printed within the County, to limit in respect to time, or wholly suspend or prohibit for such length of time as such exigency shall, in his judgment require, the use of water for any nonessential purpose, and no person shall use or draw water in violation of any such proclamation.
- B. Shutting Off Water: In case of making repairs or alterations or constructing new facilities or for other reasons, the City reserves the right to shut off the water at once and keep it shut off as long as may be necessary by giving such reasonable notice thereof as shall be practicable to users. No claim shall be made against the City by reason of the above or by reason of the breakage or failure of any pump, or other portion of the water system.

C. Access To Equipment: No person shall in any manner obstruct access to any valve, hydrant, stopcock, manhole, flow-measuring equipment or any other equipment necessary to the operation of the water or wastewater facilities which is located in any public street, alley or easement. (Ord. 95-15-1, 11-14-1995)

### **8-3-26: PENALTIES:**

No person, whether owner or occupant, in possession or control of any building, structure or premises into which water is supplied through the waterworks system of the City, shall be allowed, without written permission from the City, to supply other persons or families or to supply water from such building or premises to any other building, structure or premises. The supply of water to a building, structure or premises of any person who violates any of the foregoing provisions of this Section, shall be shut off and stopped forthwith, and the water shall not again be turned on to such building, structure or premises from which it was cut off until there shall have been paid to said City such sum of money as the City Council shall deem properly due.

If after the water supply has been turned on to any building, structure or premises, it shall be found by any officer or employee of the said City that fraudulent representations have been made by the applicant for such water supply or that water is being used in or upon such building, structure or premises for purposes not set forth in the application made for such water supply or that there is wilful and unreasonable use or waste of water, the Director or such employee of the City as he shall designate shall have the authority and it shall be his duty to cut off and stop the supply of water to such building, structure or premises forthwith, and the water shall not be turned on to such building, structure or premises until the person or persons responsible for such fraudulent representation or for such use of water or wilful or unreasonable waste thereof, shall pay the City such additional sum of money for such water supply or on account of such unreasonable waste of water as the Administrator shall find properly to be due the City. Every person supplied with water from the City waterworks system shall, at his or her own cost and expense, have installed and kept in repair all pipes leading from the curb stop to his or her building, structure or premises as are supplied with water through such service pipe. (Ord. 95-15-1, 11-14-1995)

### **8-3-27: PRIVATE WATER SUPPLIES:**

A. Whenever any portion of water pumped from a private water supply is discharged to the wastewater facilities of the City, a meter shall be installed to measure the amount of water pumped from the private water supply. Wastewater billed shall be based on the total of the water pumped and the water purchased from the City,



unless a flow meter is approved as herein provided. Where flow meters are approved, the meter requirement on private wells may be waived by the City.

- B. All meters installed on private water supplies shall be purchased and owned by the user and shall conform to all of the requirements of this Section.
  
- C. No person shall remove a private meter for the purpose of having it repaired without first contacting the Public Works Director and having the meter read before it is removed and after it has been replaced. Whenever a meter is removed, a replacement meter shall be installed to provide for continuous metering of the private water supply. If a replacement meter is not available, the wastewater charges for the period for which no meter was in service shall be based on the average use for a previous comparable period as determined by the City. (Ord. 95-15-1, 11-14-1995)

### **8-3-28: CROSS-CONNECTIONS NOT PERMITTED; PENALTIES:**

Whenever a system of water supply piping, either inside or outside of any building, receives its supply from any source other than the waterworks system of the City, such system shall be kept entirely separate from and no cross-connections or connections of any kind shall be made with any pipe or system of piping which received its supply from the City waterworks system. Water which has once been used for any purpose whatsoever shall not be returned to the building's water supply system. Any person violating this Section shall be fined not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00) and each day of violation shall be deemed as a separate violation of this Chapter. (Ord. 95-15-1, 11-14-1995)

### **8-3-29: PROTECTION OF PUBLIC WATER SUPPLY:**

- A. Secondary Water Systems: All connections from the public water system to secondary water systems shall include a safe air gap or backflow preventer. The method of connection shall be approved by the Public Works Director.
  
- B. Protection Against Backflow And Back Siphonage: The public water supply shall be protected against backflow and back siphonage by providing and maintaining a safe air gap or backflow preventer. (Ord. 95-15-1, 11-14-1995)

## **CHAPTER 4 SEWER FACILITIES REGULATIONS**

### **SECTION:**

- 8-4-1: Use Of Public Sewer Facilities Required**
- 8-4-2: Unlawful Deposition Of Wastes**
- 8-4-3: Unlawful Discharge Of Wastes**
- 8-4-4: Unlawful Construction Of Sewage Facilities**
- 8-4-5: Private Sewage Disposal**
- 8-4-6: General Requirements For Use Of Public Sewer**
- 8-4-7: Capacity To Accept User**
- 8-4-8: Metering Of Flow Required**
- 8-4-9: Building Sewer Requirements**
- 8-4-10: Installation Of Building Sewers**
- 8-4-11: Separate Building Sewer For Each Use**
- 8-4-12: Performance Bond**
- 8-4-13: Insurance**
- 8-4-14: Discharge Of Storm And Unpolluted Waters Prohibited**
- 8-4-15: Wastes Admissible To The Wastewater Facilities**
- 8-4-16: Wastes Inadmissible To The Wastewater Facilities**
- 8-4-17: Grease, Oil And Sand Interceptors**
- 8-4-18: Pretreatment Of Wastewater**
- 8-4-19: Pretreatment Facilities**
- 8-4-20: Pretreatment Facilities Maintenance**
- 8-4-21: Special Agreement For Service**
- 8-4-22: Protection From Damage**
- 8-4-23: Penalty**

### **8-4-1: USE OF PUBLIC SEWER FACILITIES REQUIRED:**

The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the City and abutting on any street, alley, or right of way in which there is now located or may in the future be located a City sanitary sewer, is hereby required at his expense to install a plumbing system in accordance to the most recent edition of the Illinois Plumbing Code therein, and to connect such facilities directly with the City sewer main in a manner approved by

the City within ninety (90) days after the official notice to do so, provided that said public sewer is within one hundred feet (100') of the property line. (Ord. 95-15-1, 11-14-1995)

#### **8-4-2: UNLAWFUL DEPOSITION OF WASTES:**

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 City or in any area under the jurisdiction of said City, any human or animal excrement, garbage, or other objectionable wastes. (Ord. 95-15-1, 11-14-1995)

#### **8-4-3: UNLAWFUL DISCHARGE OF WASTES:**

It shall be unlawful to discharge to any natural outlet, watercourse or storm sewer within the City or in any area under the jurisdiction of said City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Title and the IEPA. (Ord. 95-15-1, 11-14-1995)

#### **8-4-4: UNLAWFUL CONSTRUCTION OF SEWAGE FACILITIES:**

Except as hereinafter provided, it shall be unlawful to construct any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage. (Ord. 95-15-1, 11-14-1995)

#### **8-4-5: PRIVATE SEWAGE DISPOSAL:**

In the event a public sanitary sewer is not available under the provisions of Section 8-41 of this Chapter, the building sewer may be connected to a private sewage disposal system.

A. Authorization Requirements: Authorization for the use of a private sewage disposal system may be given with the following provisions:

1. A written permit signed by the DeKalb County Health Department is required before construction of a private sewage disposal system may commence. The owner shall obtain a permit furnished by the Health Department and shall make application on said form. The applicant shall furnish plans, specifications and other information as are deemed necessary by DeKalb County Health Department.

2. A private sewage disposal system shall not be operated until the installation is completed to the satisfaction of DeKalb County Health Department. They shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify DeKalb County Health Department when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty eight (48) hours of the receipt of notice by DeKalb County Health Department.
3. The system design, type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the 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 insufficient subsurface soil absorption facilities until such time as approval is received from the Illinois Environmental Protection Agency.
4. Construction and installation of a private sewage disposal system may not begin until authorization has been given in writing by the Public Works Director.

B. Conditions: The operation and maintenance of a private sewage disposal system shall meet the following conditions:

1. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the City.
2. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 8-4-1 of this Chapter, the owner shall cease all operations of the private sewage disposal system and make a direct connection to the public sewer owned by the City in compliance with this Title, and any private sewage disposal facilities shall be abandoned under the direct supervision of the Director. The building sewer shall be connected to said sewer within ninety (90) days.

C. Additional Requirements: No statement contained in this Section shall be construed to interfere with any additional requirements that may be imposed by the City. (Ord. 95-15-1, 11-14-1995)

#### **8-4-6: GENERAL REQUIREMENTS FOR USE OF PUBLIC SEWER:**

- A. All wastewater discharged by any person into the wastewater facilities is unlawful except those discharges in compliance with Federal standards promulgated pursuant to the Federal Act and more stringent State and local standards.
- B. No person shall make any connection to the City sanitary or storm sewer system without having first obtained a permit therefor and paid the fee herein provided.
- C. Application for such permits shall be made to the City and shall be accompanied by a statement as to the purpose of the connection and the premises to be served. Such application shall be referred to the Director and shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Director, who shall have charge of all connections to the intercepting sewer and shall approve such connections before the same shall be made.
- D. No permit will be issued allowing connection to be made to the public sewer system until the applicant has completed the following:
1. Pays the connection fee as prescribed in Chapter 6 of this Title.
  2. Secures a street opening permit in conformance with the provisions of Section 7-1-5 of this Code.
  3. Agrees to pay all costs of the installation of said service.
  4. Agrees to give the Public Works Director a minimum of twenty four (24) hours' notice prior to the start of the installation of the service and when service shall be ready for inspection; except, that inspections will be made only during regular City working hours.
  5. Agrees that all materials used and the method of installation shall be in conformance with specifications established by the City.
  6. Agrees to conform to all rules governing plumbers and to the regulations of the Illinois State Plumbing Code'.

7. Agrees to secure and protect the City from any liability or damage whatsoever for injury (including death) to any person or property and files with the City liability insurance certificates.

8. Secures an IEPA permit if the wastewater:

a. Is domestic and the volume to be discharged is more than one thousand five hundred (1,500) gallons per day.

b. Is industrial.

9. Secures a building permit if new waste source is new equipment to be installed within an existing building.

E. No connection permit will be required for the removal of stoppage in sewer pipes, or for replacing broken or old sewer lines, provided such sewer lines conform to the regulations contained in this Section. (Ord. 95-15-1, 11-14-1995)

#### **8-4-7: CAPACITY TO ACCEPT USER:**

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 sanitary sewers, pump station and wastewater treatment facilities, have sufficient reserve capacity to adequately handle the additional anticipated waste load. (Ord. 95-15-1, 11-14-1995)

#### **8-4-8: METERING OF FLOW REQUIRED:**

All persons discharging wastewater into the City sewer system shall purchase and install a water meter furnished by the City, or an approved flow-measurement device that is capable of accurately measuring and recording flow entering the sanitary sewer. Installation of these devices shall be made under the direction of the Director and the user shall bear the cost thereof. (Ord. 95-15-1, 11-14-1995)

#### **8-4-9: BUILDING SEWER REQUIREMENTS:**

- A. The building sewer extends from the City sewer main, including the connection thereto, to a point five feet (5') outside the building foundation wall, including the connection to the building drain. The pipe, connections, fittings, and method of installation shall be as specified or as provided by the City. The tap to the sewer main shall be made in accordance with the provisions set forth in this Chapter.
  
- B. All costs and expenses incident to the installation and connection and routine maintenance and repairs of the building sewer shall be borne by the owner. The owner shall indemnify the City for any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer and the maintenance of said sewer. It shall be the duty of the property owner to maintain the building sewer pipe from the building to the City's sewer main.
  
- C. The Public Works Director shall have the authority to enter onto the property and maintain or repair or require the owner to maintain or repair any building sewer, building drain, or other sewer pipe connected to the City sewer main to the premises served thereby. Maintenance or repair work performed by the City or the City's approved contractor on a sewer, drain, or sewer pipe shall be paid for by the owner of the property served, at the materials and hourly labor rate established by the City or the City's contractor. The cost of said repairs shall be collected in the same manner and with the same remedies as for collection of charges for sewer services, provided, however, the City may, at the discretion of the Public Works Director, enter into a reimbursement agreement with the owner of the property. The reimbursement agreement would allow the owner to pay for the maintenance or repair work performed by the City or the City's contractor by making not more than twelve (12) monthly payments due on the same date as the City's charges for water and wastewater services (Ord 2014-30, 12-2-2015).
  
- D. A person who has had a sewer inspection or repair work performed on a building owned by that person may be eligible to receive financial assistance by entering into a written reimbursement agreement with the City. The reimbursement agreement must be in accordance with City policy, approved by the Public Works Director, and contain provisions requiring the repayment of not less than \$100 per month over a time not to exceed 48 months. (Ord 2016-01, 01-19-2016)

#### **8-4-10: INSTALLATION OF BUILDING SEWERS:**

- A. 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 of the trench, shall all conform to the requirements of the Building and Plumbing Code, or other applicable rules and regulations of the City. 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 Number 9, and Standard Specifications for Water and Sewer Main Construction in Illinois shall apply. All such connections shall be made gastight and watertight.
- B. Each connection shall be made at the "Y" designated for that property. Only where the designated "Y" is not located within three feet (T) of the point of measurements furnished by the Director will a tap-in connection be allowed.
- C. The person making the connection shall make an opening in the main sewer similar to -the interior diameter of the "Y" branch and then properly cement and attach a saddle in place. The saddle shall have a suitable curvature to conform to the outside diameter of the public sewer and said appurtenances shall be furnished by the City and the cost thereof borne by the owner or person making the connection.
- D. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. Single-family homes shall have the overhead sewers in basements, when applicable. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- E. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff, ground water or other unpolluted water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer. Said installation is considered a serious offense.
- F. If any person refuses or neglects to disconnect any sewer connected in violation of this Section, the City may disconnect the sewer at the expense of the property owner from whose premises sewer connected in violation hereof extends.
- G. No unauthorized person shall uncover, enter, use, alter, disturb, make any connection with or cause opening into any public sewer or appurtenance thereof without first obtaining a written permit from the Director.



- H. The Director shall supervise the tapping and repairing of all sanitary sewers carrying sanitary sewage into the City sewer system, installation of all building sewers, laterals, or other pipes connected to the City sewer system, and shall keep a record of all connections made to such sewers.
- I. All connections to the sewer system of the City shall be made by or under the direct supervision of a qualified sewer builder or drain-layer. No sewer builder or drain-layer shall make or cause any such public sewer connection to be made unless he shall have first met all requirements for the lawful conduct of such trade in the City. Each such master plumber and such sewer builder or drain-layer shall be liable for all damages to the public sewer system caused by the neglect, carelessness, or want of skill of his or their employees or subcontractors. Any plumber or sewer builder or drain-layer convicted of a second violation of this subsection shall forfeit his right to again perform his trade in the City for a period of one year.
- J. All excavations for building sewer installations shall comply with the provisions of this Code relating to excavations in streets (Section 7-1-5 of this Code) and shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City. (Ord. 9515-1, 11-14-1995)

#### **8-4-11: SEPARATE BUILDING SEWER FOR EACH USE:**

A separate and independent building sewer shall be provided for every building except 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. In no case shall any person be permitted to maintain, without the consent of the Director and approval of the City, any sewer connection connecting a building owned by him to the public sewer across or under the property of another.

An existing sewer may be used in connection with new buildings only when they are found, on examination and test, to meet with the approval of the Director. (Ord. 9515-1, 11-14-1995).

#### **8-4-12: PERFORMANCE BOND:**

No permit for a sewer connection or a house connection, or a sewer extension shall be issued by the City unless the person applying therefor, or the contractor shall have filed with the City a performance bond with corporate surety thereon in the sum of five thousand dollars (\$5,000.00) for a sewer connection or a house connection; and for a sewer extension, a sum equal to one and one-half (02) times the estimated cost of the work to be done. Such performance bond shall be approved by the Administrator of the City, conditioned upon the applicant indemnifying and saving harmless the City for any and all damage to underground utilities or to the water and sewer mains and laterals of the City and from any failure to restore any road, ditch, pavement or portion thereof damaged in as good condition as said applicant or contractor found them. A sewer connection or sewer extension shall be accomplished by boring only beneath the road and sidewalk and any open cutting is not allowed except by special permit of the City. (Ord. 95-15-1, 11-14-1995)

### **8-4-13: INSURANCE:**

No permit for a sewer connection or sewer extension shall be issued by the City unless the person applying therefor, or the contractor shall have first procured public liability insurance in an amount not less than fifty thousand dollars (\$50,000.00) for injuries, including accidental death, to any one person and subject to the same limit for each person in an amount not less than one hundred thousand dollars (\$100,000.00) on account of one accident, and property damage insurance in an amount not less than fifty thousand dollars (\$50,000.00). The persons to be indemnified and saved harmless in said insurance policy shall be the City and the applicant for sewer connection or sewer expansion. A certificate of said insurance shall be filed with the City. (Ord. 95-15-1, 11-14-1995)

### **8-4-14: DISCHARGE OF STORM AND UNPOLLUTED WATERS PROHIBITED:**

No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer. This violation is considered a serious offense.

- A. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Director. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Director, to a storm sewer or natural outlet. (Ord. 95-15-1, 11-14-1995)

#### **8-4-15: WASTES ADMISSIBLE TO THE WASTEWATER FACILITIES:**

The following wastes are admissible to the wastewater facilities of the City:

- A. Any compatible pollutant except that the strength, volume and rate of flow of the waste may be regulated.
- B. Any incompatible pollutant which is identified in the NPDES permit received by the City except that the total from all sources may not exceed the amount allowed under the conditions of said permit.
- C. Any incompatible pollutant for which an effluent standard has been established by the IEPA or promulgated by the authority of the Act provided that:
  - 1. The aggregate total from all sources shall not exceed the total allowable to the wastewater treatment facilities based on the average dry weather flow. It is assumed that there will be no removal of the incompatible waste in the treatment facilities.
  - 2. The concentration of the incompatible waste discharged from any source shall not exceed two (2) times the concentration allowed in the wastewater treatment facility effluent.
  - 3. The concentration of the incompatible waste in the wastewater treatment facility shall not exceed the maximum allowed by the IEPA.
  - 4. The concentration of the incompatible waste will not adversely affect the stream standards for the Kishwaukee River.
- D. Noncontact industrial cooling water, with the written approval of the Director.
- E. The City may from time to time establish maximum concentrations of various pollutants discharged into the City sewer, and maximum concentrations in wastewater treatment facility effluent. (Ord. 95-15-1, 11-14-1995)

#### **8-4-16: WASTES INADMISSIBLE TO THE WASTEWATER FACILITIES:**

The following wastes shall not be introduced into the wastewater facilities of the City:

- A. 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 any hazard in the receiving waters of the sewage treatment plant, or to cause a violation of any effluent standards established by the IEPA or by authority of the Act.

- B. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas which may create a fire or explosion.
- C. Any waters or wastes having a pH lower than 5.5 or greater than 9.0, or having any other corrosive property capable of causing damage or hazard to structure, equipment, and personnel of the sewage works.
- D. Solids or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, grease, animal fat, etc., either whole or ground by garbage grinders.
- E. Any cyanide or cyanogen compound, wastes containing phenols, or mercury and mercury compounds unless an IEPA permit has been received by the City.
- F. Storm water, surface water, ground water, roof runoff and subsurface drainage.
- G. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150°F), sixty five degrees centigrade (65°C).
- H. Any water or waste containing fat, oil, or grease (FOG); wax, or other Freon extractable material, whether emulsified or not, in excess of one hundred (100) mg/l.
- I. Any garbage that has not been properly shredded. The installation and operations of any garbage grinder equipped with a motor of three-fourths horsepower (3/4 HP) or greater, other than those installed for domestic use, shall be subject to the review and approval of the Director.
- J. Any wastes which will cause discoloration such as, but not limited to, dye, paint, or ink.
- K. Wastes at a flow rate and/or pollutant discharge rate which is excessive over relatively short time periods so that there is a treatment process upset and subsequent loss of treatment efficiency. Provided, however, that concentration of any given constituent or in quantity of flow shall not exceed five (5) times the average twenty four (24) hour concentration or flows during normal operation for any period exceeding fifteen (15) minutes.
- L. Any incompatible waste except as admissible in Section 8-4-15 of this Chapter.
- M. Any compatible waste, the strength of which exceeds normal domestic wastewater in any constituent except as permitted by the City. (Ord. 95-15-1, 11-141995)

#### **8-4-17: GREASE, OIL AND SAND INTERCEPTORS:**

Grease, oil, and sand interceptors shall be provided when, in the opinion of the Director and under provisions set forth in the Illinois Plumbing Code, they are necessary to protect the wastewater facilities from excessive fats, oils, and greases, and for the proper handling of liquid wastes which may contain flammable materials, sand, or other harmful ingredients. Said interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Director, and shall be located as to be readily and easily accessible for cleaning and inspection.

- A. A grease interceptor (trap) shall be installed if the content of FOG in the discharge exceeds one hundred (100) mg/l. Each grease trap shall be sized so that it will produce an effluent of one hundred (100) mg/l on a continuous basis, and shall be operated and maintained at no cost to the City. A permit is required for the construction of each grease interceptor.
- B. An oil or sand interceptor shall be installed if required by the Director to prevent the entrance of sand or similar granular material, oil, or other floatable materials into the wastewater facilities of the City. Said interceptor shall be properly operated and maintained at no cost to the City. A permit is required for the construction of each sand or oil interceptor.
- C. Equipment and devices installed under this Section shall not be considered to provide pretreatment to the wastewater, and no special operating permits or operating data shall be required. (Ord. 95-15-1, 11-14-1995)

#### **8-4-18: PRETREATMENT OF WASTEWATER:**

- A. 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 Section 8-4-16 of this Chapter, and/or which are in violation of the standards for pretreatment established by the IEPA or USEPA, and any amendments thereto, and which in the judgment of the Director 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 may:
  - 1. Reject the wastes, and require the violator to cease and desist discharging said materials into the sewer system immediately.
  - 2. Require pretreatment of the wastewater to an acceptable condition for discharge to the wastewater facilities, and also file with the Director all required permits prior to the start of constructing any pretreatment facilities.
  - 3. Require payment of any surcharge to cover the added costs of handling and treating the wastes not covered by the existing sewer charges.
- B. Any user proposing to construct a pretreatment facility shall have the plans and specifications approved in writing by the City Engineer and an IEPA permit prior to receiving a permit by the City.

C. Any user proposing to operate a pretreatment facility shall comply with all requirements of the IEPA and shall submit such operating data as may be required by the City. (Ord. 95-15-1, 11-14-1995)

#### **8-4-19: PRETREATMENT FACILITIES:**

A. Each industrial user shall be required to install a control manhole, and when required by the Director, the owner of any property serviced by an existing building sewer carrying industrial or commercial 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 Director. 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. (Ord. 95-15-1, 11-14-1995)

#### **8-4-20: PRETREATMENT FACILITIES MAINTENANCE:**

Where pretreatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense. (Ord. 95-15-1, 11-14-1995)

#### **8-4-21: SPECIAL AGREEMENT FOR SERVICE:**

No statement contained in this Title shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby any industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefor, in accordance with this Title, by the industrial concern provided such payments are in accordance with Federal and State guidelines for a user charge system. (Ord. 9515-1, 11-14-1995)

#### **8-4-22: PROTECTION FROM DAMAGE:**

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct. (Ord. 95-15-1, 1114-1995)

#### **8-4-23: PENALTY:**

Any person who makes any excavation, or does any other work without first securing the permit required by this Title, shall in addition to any other penalty imposed by this Section, pay to the City within twenty four (24) hours of receipt of demand thereof, a sum equal to two hundred percent (200%) of the amount then charged as the sewer connection fee. Such inspector shall thereupon make an inspection as in other cases. Failure to pay the said sum on demand as provided shall constitute a separate violation.

Any person filling in an excavation without having first received the written approval of the City as provided in this Chapter shall, in addition to suffering the fine herein imposed, expose the sewer for inspection by the Director at no cost to the City. In any case where the inspector finds the work on any sewer not done in a satisfactory manner as herein provided, he shall serve written notice on the person to whom the permit is issued, stating wherein such work is deficient, and ordering said person to remedy such defect within twenty four (24) hours. In the event such person fails to comply therewith, the inspector shall cause such defect to be corrected at the expense of the person to whom the permit was issued. The sum of twenty five dollars (\$25.00) as herein provided shall be paid to the City as a fee for the performance of the inspector, and it shall be the duty of the inspector to inspect any sewer connection or sewer pipe within the City. It shall also be the duty of said inspector to inform the Approving Authority of any violation of this Chapter and to assist in the prosecution of offenders. (Ord. 95-15-1, 11-14-1995)

## **CHAPTER 5 CROSS-CONNECTION CONTROL**

### **SECTION:**

- 8-5-1: General Policy**
- 8-5-2: Definitions**
- 8-5-3: Water System**
- 8-5-4: Cross-Connection Prohibited**
- 8-5-5: Survey And Investigations**
- 8-5-6: Where Protection Is Required**
- 8-5-7: Type Of Protection Required**
- 8-5-8: Backflow Prevention Devices**
- 8-5-9: Inspection And Maintenance**
- 8-5-10: Booster Pumps**
- 8-5-11: Violations**
- 8-5-12: Backflow Prevention**

## **8-5-1: GENERAL POLICY:**

- A. Purpose: The purpose of these rules and regulations is:
1. To protect the public water supply system from contaminants or pollution by isolating within the customer's water system contaminants or pollutants which could backflow through the service connection into the public water supply system.
  2. To promote the elimination or control of existing cross-connections, actual or-potential, between the public or consumer's potable water system and nonpotable water systems, plumbing fixtures and sources or systems containing substances of unknown or questionable safety.
  3. To provide for the maintenance of a continuing program of cross-connection control which will prevent the contamination or pollution of the public and consumer's potable water systems.
- B. Application: These rules and regulations shall apply to all premises served by the public potable water supply system of the City.
- C. Policy: The owner or official custodian shall be responsible for protection of the public water supply system from contamination due to backflow or back-siphonage of contaminants through the customer's water service connection. If, in the judgment of the Public Works Director or his authorized representative, an approved backflow prevention device is necessary for the safety of the public water supply system, the Public Works Director shall give notice to the consumer to install such approved backflow prevention device at each service connection to the premises. The consumer shall immediately install such approved device or devices at his own expense. Failure, refusal or inability on the part of the consumer to install such device or devices immediately shall constitute grounds for discontinuing water service to the premises until such device or devices have been installed. The consumer shall retain records of installation, maintenance, testing and repair as required in Section 8-5-9 of this Chapter for a period of at least five (5) years. The Public Works Director may require the consumer to submit a cross-connection inspection report to the Water Department to assist in determining whether or not service line protection will be required. All cross-connection inspections shall be conducted by a cross-connection control device inspector certified by the Illinois Environmental Protection Agency. (Ord. 95-15-1, 11-14-1995)

## **8-5-2: DEFINITIONS:**

The following definitions shall apply in the interpretation and enforcement of these regulations:



AGENCY	Illinois Environmental Protection Agency.
APPROVED	Backflow prevention devices or methods approved by the Research Foundation for Cross-Connection Control of the University of Southern California, Association of State Sanitary Engineers, American Water Works Association, American National Standards Institute or certified by the National Sanitation Foundation.
AUXILIARY WATER SYSTEM	Any water source or system on or available to the premises other than the public water supply system and includes the water supplied by the system. These auxiliary waters may include water from another purveyor's public water supply system; or water from a source such as wells, lakes or streams; or process fluids; or used water. These waters may be polluted or contaminated or objectionable or constitute a water source or system over which the water purveyor does not have control.
BACKFLOW	The flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water system from any source other than the intended source of the potable water supply.
BACKFLOW PREVENTION DEVICE	Any device, method or type of system. All devices used for backflow prevention in Illinois Environmental Protection Agency.
CCDI	The cross-connection control device inspector approved by the City and the Illinois Environmental Protection Agency.
CONSUMER OR CUSTOMER	The owner, official custodian or person in control of any premises supplied by or any manner connected to a public water system.
CONSUMER'S WATER SYSTEM	Any water system located on the customer's premises. A building plumbing system is considered to be a consumer's water system.
CONTAMINATION	An impairment of the quality of the water by entrance of any substance to a degree which could create a health hazard.
CROSS-CONNECTION	Any physical connection or arrangement between two (2) otherwise separate piping systems, one of which contains potable water and the other a substance of unknown or questionable safety or quality, whereby there may be a flow from one system into the other.

DIRECT CROSS-CONNECTION	A cross-connection formed when a water system is physically joined to a source of unknown or unsafe substance.
DIRECTOR	The Director of Public Works or his authorized representative.
DOUBLE CHECK VALVE ASSEMBLY	An assembly composed of a single, independently acting check valves approved under ASSE Standard 1015. A double check valve assembly must include tight shut-off valves located at each end of the assembly and suitable connections for testing the water tightness of each check valve.
FIXED PROPER AIR GAP	The unobstructed vertical distance through the free atmosphere between the water discharge point and the flood level rim of the receptacle.
HEALTH HAZARD	Any condition, device or practice in a water system or its operation resulting from a real or potential danger to the health and well-being of consumers. The word "severe" as used to qualify "health hazard" means a hazard to the health of the user that could be expected to result in death or significant reduction in the quality of life.
INDIRECT CROSS-CONNECTION	A cross-connection through which an unknown substance can be forced, drawn by vacuum or otherwise introduced into a safe potable water system.
INSPECTION	A plumbing inspection to examine carefully and critically all materials, fixtures, piping and appurtenances, appliances and installations of a plumbing system for compliance with requirements of the Illinois Plumbing Code, 77 Illinois Administrative Code 690.
NONPOTABLE WATER	Water not safe for drinking, personal or culinary use as determined by the requirements of 35 Illinois Administrative Code 604.
PLUMBING	The actual installation, repair, maintenance, alteration or extension of a plumbing system by any person. Plumbing includes all piping, fixtures, appurtenances and appliances for a supply of water for all purposes, including, without limitation, law sprinkler systems, from the source of a private water supply on the premises or from the main in the street, alley or at the curb to, within and about any building or buildings where a person or persons live, work or assemble. Plumbing includes all piping, from discharge of pumping units to and

	including pressure tanks in water supply systems. Plumbing includes all piping, fixtures, appurtenances and appliances for a building drain and a sanitary drainage and related ventilation system of any building or buildings where a person or persons live, work or assemble from the point of connection of such building drain to the building sewer or private sewage disposal system five feet (5') beyond the foundation walls.
POLLUTION	The presence of any foreign substance (organic, inorganic, radiological or biological) in water that tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water.
POTABLE WATER	Water which meets the requirements of 35 Illinois Administrative Code 605 for drinking, culinary and domestic purposes.
POTENTIAL CROSS-CONNECTION	A fixture or appurtenance with threaded hose connection, tapered spout or other connection which would facilitate extension of the water supply line beyond its legal termination point.
PROCESS FLUID(S)	Any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, pollutional or system hazard if introduced into the public or a consumer's potable water system. This includes, but is not limited to. <ul style="list-style-type: none"> <li>A. Polluted or contaminated waters;</li> <li>B. Process waters;</li> <li>C. Used waters originating from the public water supply system which may have deteriorated in sanitary quality;</li> <li>D. Cooling waters;</li> <li>E. Questionable or contaminated natural waters taken from wells, lakes, streams or irrigation systems;</li> <li>F. Chemicals in solution or suspension;</li> <li>G. Oils, gases, acids, alkalis and other liquid and gaseous, or firefighting purposes.</li> </ul>
PUBLIC WATER SUPPLY	All mains, pipes and structures through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treatment plants, reservoirs, storage stations, storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing water for drinking or general domestic use and which serve at least fifteen (15) service connections or which regularly serve at least

	twenty-five (25) persons at least sixty (60) days per year. A public water supply is either a “community water supply” or a “noncommunity water supply”
REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTION DEVICE	A device containing maximum of two (2) independently acting check valves together with an automatically operated pressure differential relief valve located between the two (2) check valves and approved under ASSE Standard 101.3. During normal flow and at the cessation of normal flow, the pressure between these two (2) checks shall be less than the supply pressure. The unit must include tightly closing shut-off valves located at each end of the device, and each device shall be fitted with properly located test cocks.
SERVICE CONNECTION	The opening, including all fittings and appurtenances, at the water main through which water is supplied to the user.
SURVEY	The collection information pertaining to a customer’s piping system regarding the location of all connections to the public water supply system and most recent inspection and testing date of all cross-connection control devices and methods located within that customer’s piping system. The survey must be in written form, and should not be an actual plumbing inspection.
SYSTEM HAZARD	A condition through which an aesthetically objectionable or degrading material not dangerous to health may enter the public water supply system or a consumer’s potable water system.
USED WATER	Any water supplied by a public water supply system to a consumer’s water system after it has passed through the service connection and is no longer under the control of the water supply official custodian.
WATER PURVEYOR	The owner or official custodian of a public water system.

(Ord, 95-15-1, 11-14-1995)

### 8-5-3: WATER SYSTEM:

- A. The water system shall be considered as made up of two (2) parts: the public water supply and the consumer's water system.

- B. The public water supply system shall consist of the source facilities and the distribution system, and shall include all those facilities of the potable water system under the control of the Public Works Director up to the point where the consumer's water system begins.
  - 1. The source shall include all components of the facilities utilized in the production, treatment, storage and delivery of water to the public water supply distribution system.
  - 2. The public water supply distribution system shall include the network of conduits used to deliver water from the source to the consumer's water system.
- C. The consumer's water system shall include all parts of the facilities beyond the service connection used to convey water from the public water supply distribution system to points of use. (Ord. 95-15-1, 11-14-1995)

#### **8-5-4: CROSS-CONNECTION PROHIBITED:**

- A. Cross-Connection: Connections between potable water systems and other systems or equipment containing water or other substances of unknown or questionable quality are prohibited except when and where approved crossconnection control devices or methods are installed, tested and maintained to ensure proper operation on a continuing basis.
- B. Prohibitions:
  - 1. No physical connection shall be permitted between the potable portion of a supply and any other water supply not of equal or better bacteriological and chemical quality as determined by inspection and analysis by the Agency.
  - 2. There shall be no arrangement or connection by which an unsafe substance may enter a supply. (Ord. 95-15-1, 11-14-1995)

#### **8-5-5: SURVEY AND INVESTIGATIONS:**

- A. The consumer's premises shall be open at all reasonable times to the CCCDI for the inspection of the presence or absence of cross-connections within the consumer's premises, and testing, repair and maintenance of cross-connection control devices within the consumer's premises.
- B. On request by the Director, the consumer shall furnish information regarding the piping system or systems or water use within the customer's premises. The consumer's

premises shall be open at all reasonable times to the Director for the verification of information submitted by the consumer to the public water supply custodian regarding cross-connection inspection results.

- C. It shall be the responsibility of the water consumer to arrange periodic surveys of water use practices on his premises to determine whether there are actual or potential cross-connections to his water system through which contaminants or pollutants could backflow into his or the public potable water system. All crossconnection control or other plumbing inspections must be conducted in accordance with 225 Illinois Compiled Statutes 320/3(1).
- D. It is the responsibility of the water consumer to prevent backflow into the public water system by ensuring that:
  - 1. Removal Or Control: All cross-connections are removed; or approved crossconnection control devices are installed for control of backflow and back-siphonage.
  - 2. Installation: Cross-connection control devices shall be installed in accordance with the manufacturer's instructions.
  - 3. Inspection: Cross-connection control devices shall be inspected at the time of installation and at least annually by a person approved by the Agency as a CCCDI. The inspection of mechanical devices shall include physical testing in accordance with the manufacturer's instructions.
  - 4. Testing And Records:
    - a. Each device shall be tested at the time of installation and at least annually or more frequently if recommended by the manufacturer.
    - b. Records submitted to the Water Department shall be available for inspection by Agency personnel in accordance with 415 Illinois Compiled Statutes 5/4(e).
    - c. Each device shall have a tag attached listing the date of most recent test, name of CCCDI and type and date of repairs.
    - d. A maintenance log shall be maintained and include:
      - i Date of each test;
      - ii Name and approval number of person performing the test;
      - iii Test results;
      - iv Repairs or servicing required;

v Repairs and date completed;

vi Service performed and date completed. (Ord. 95-15-1, 11-14-1995)

### **8-5-6: WHERE PROTECTION IS REQUIRED:**

- A. An approved backflow device shall be installed on all connections to the public water supply as described in the Plumbing Code, 77 Illinois Administrative Code 890 and the Agency's regulations, 35 Illinois Administrative Code 680. In addition, an approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises, where in the judgment of the Director, actual or potential hazards to the public water supply exist.
- B. An approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises where the following conditions exist:
1. Premises having an auxiliary water supply, unless such auxiliary supply is accepted as an additional source by the Director and the source is approved by the Agency.
  2. Premises on which any substance is handled which can create an actual premises having sources or systems containing process fluids of waters originating from public water supply system which are no longer under the sanitary control of the Director.
  3. Premises having internal cross-connections that, in the judgment of the Director and/or the CCCDI, are not correctable or intricate plumbing arrangements which make it impractical to determine whether or not cross-connections exist.
  4. Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross-connection survey.
  5. Premises having a repeated history of cross-connections being established or reestablished.
- C. An approved backflow device shall be installed on all connections to the public water supply as described in the Plumbing Code, 77 Illinois Administrative Code 890 and the Agency's regulations, 35 Illinois Administrative Code 653. In addition, an approved backflow prevention device shall be installed on each service line to a consumer's water

system serving, but not necessarily limited to, the following types of facilities unless the Director determines that no actual or potential hazard to the public water supply exists:

1. Hospitals, mortuaries, clinics, nursing homes.
2. Laboratories.
3. Piers, docks, waterfront facilities.
4. Sewage treatment plants, sewage pumping stations or storm water pumping stations.
5. Food or beverage processing plants.
6. Chemical plants.
7. Metal plating industries.
8. Petroleum processing or storage plants.
9. Radioactive material processing plants or nuclear reactors.
10. Car washes.
11. Pesticides, herbicide or extermination plants and trucks.
12. Farm service and fertilizer plants and trucks. (Ord. 95-15-1, 11-14-1995)

#### **8-5-7: TYPE OF PROTECTION REQUIRED:**

- A. The type of protection required under this Section of regulations shall depend on the degree of hazard which exists as follows:
  1. An approved fixed proper air gap separation shall be installed where the public water supply system may be contaminated with substances that could cause a severe health hazard.
  2. An approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention assembly shall be installed where the public water supply system may be contaminated with a substance that could cause a system or health hazard.
  3. An approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention assembly or a double check valve assembly shall be installed where the public water supply system may be polluted with substances that could cause a pollution hazard not dangerous to health.



- B. The type of protection required under this Section of regulations shall be an approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention device.
- C. Where a public water supply or an auxiliary water supply is used for a fire protection system, reduced pressure principle backflow preventers shall be installed on fire safety systems connected to the public water supply when:
1. The fire safety system contains antifreeze, fire retardant or other chemicals;
  2. Water is pumped into the system from another source;
  3. Water flows by gravity from a nonpotable source; or water can be pumped into the fire safety system from any other source.
  4. There is a connection whereby another source can be introduced into the fire safety system.
- D. All other fire safety systems connected to the potable water supply shall be protected by a double check valve assembly on metered service lines and a double detector check valve assembly on unmetered service lines. (Ord. 95-15-1, 11-141995)

#### **8-5-8: BACKFLOW PREVENTION DEVICES:**

- A. All backflow prevention devices or methods required by these rules and regulations shall be approved by the Research Foundation for Cross-Connection Control of the University of Southern California, American Water Works Association, American Society of Sanitary Engineering or American National Standards Institute or certified by the National Sanitation Foundation to be in compliance with applicable industry specification.
- B. Installation of approved devices shall be made in accordance with the manufacturer's instructions. Maintenance as recommended by the manufacturing of the device shall be performed. Manufacturer's maintenance manual shall be available on-site. (Ord. 95-15-1, 11-14-1995)

#### **8-5-9: INSPECTION AND MAINTENANCE:**

- A. It shall be the duty of the consumer at any premises on which backflow prevention devices required by these regulations are installed to have inspection, tests, maintenance and repairs made in accordance with the following schedule or more often where inspections indicate a need or are specified in manufacturer's instructions.
1. Fixed proper air gap separations shall be inspected to document that a proper vertical distance is maintained between the discharge point of the service line and the

flood level rim of the receptacle at the time of installation and at least annually thereafter. Corrections to improper or bypassed air gaps shall be made within twenty four (24) hours.

2. Double check valve assemblies shall be inspected and tested at time of installation and at least annually thereafter, and required service performed within five (5) days.
  3. Reduced pressure principle backflow prevention assemblies shall be tested at the time of installation and at least annually or more frequently if recommended by the manufacturer, and required service performed within five (5) days.
- B. Testing shall be performed by a person who has been approved by the Agency as competent to service the device. Proof of approval shall be in writing.
- C. Each device shall have a tag attached listing the date of most recent test or visual inspection, name of tester and type and date of repairs.
- D. A maintenance log shall be maintained and include:
1. Date of each test or visual inspection;
  2. Name and approval number of person performing the test or visual inspection;
  3. Test results;
  4. Repairs or servicing required;
  5. Repairs and date completed; and
  6. Servicing performed and date completed.
- E. Whenever backflow prevention devices required by these regulations are found to be defective, they shall be repaired or replaced at the expense of the consumer without delay as required by subsection A of this Section.
- F. Backflow prevention devices shall not be bypassed, made inoperative, removed or otherwise made ineffective without specific authorization by the Director. (Ord. 9515-1, 11-14-1995)

### **8-5-10: BOOSTER PUMPS:**

- A. Where a booster pump has been installed on the service line to or within any premises, such pump shall be equipped with a low pressure cut-off device designed to shut off the booster pump when the pressure in the service line on the suction side of the pump drops to twenty (20) psi or less.

B. It shall be the duty of the water consumer to maintain the low pressure cut-off device in proper working order and to certify to the Director, at least once a year, that the device is operable. (Ord. 95-15-1, 11-14-1995)

### **8-5-11: VIOLATIONS:**

- A. The Director shall deny or discontinue, after notice as provided in this Section to the occupants thereof, the water service to any premises wherein any backflow prevention device required by these regulations is not installed, tested, maintained and repaired in a manner acceptable to the Director, or if it is found that the backflow prevention device has been removed or bypassed, or if an unprotected crossconnection exists on the premises, or if a low pressure cut-off required by these regulations is not installed and maintained in working order.
- B. Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with these regulations and to the satisfaction of the Director, and the required reconnection fee is paid.
- C. Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with these regulations and to the satisfaction of the Director.
- D. Neither the City, the Director or its agents or assigns shall be liable to any customers of the City public water supply 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 Title, whether or not said termination of the water supply was with or without notice.
- E. The consumer responsible for back-siphoned material or contamination through backflow, if contamination of the potable water supply system occurs through an illegal cross-connection or improperly installed, maintained or repaired device, or a device which has been bypassed, must bear the cost of cleanup of the potable water supply system.
- F. Any person found to be in violation of any provision of this Chapter shall be served with written notice stating the notice of the violation and, as provided in this Section, require the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violation.
- G. Any person violating any of the provisions of this Chapter, in addition to the fines provided herein, shall become liable to the City for any expenses, loss or damage occasioned by the City by reason of such violation, whether the same was caused before or after notice. (Ord. 95-11-1, 11-14-1995)

## **8-5-12: BACKFLOW PREVENTION:**

- A. All plumbing installed within the City shall be installed in accordance with Illinois Plumbing Code, 77 Illinois Administrative Code 890. If in accordance with the Illinois Plumbing Code or in the judgement of the City Engineer or Public Works Director, an approved backflow prevention device is necessary for the safety of the public water supply system, the Director shall give notice to the water customer to install such an approved device immediately. The water customer shall, at his own expense, install such an approved device at a location and in a manner in accordance with the Illinois Plumbing Code, Illinois Environmental Protection Agency 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 shall establish or maintain or permit to be maintained any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of the City may enter supply or distribution systems of the City, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Director or City Engineer and the Illinois Environmental Protection Agency.
  
- C. It shall be the duty of the Director to cause surveys and investigations to be made of industrial and other properties served by the public water supply to determine whether actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated at least every two (2) years, or as often as the Director shall deem necessary. -Records of such surveys shall be maintained for review for a period of at least five (5) years.
  
- D. The approved cross-connection control device inspector shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the City for the purpose of verifying the presence or absence of cross-connections, and the Director or his authorized agent shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the City for the purpose of verifying information submitted by the customer regarding the required cross-connection control inspection. On demand the owner, lessees or occupants of any property so served shall furnish to the Director any information which he may request regarding the piping system or systems or water use on such property. The refusal of such information, when demanded, shall, within the discretion of the Director, be deemed evidence of the presence of improper connections as provided by this Chapter.
  
- E. The Director is hereby authorized and directed to discontinue with five (5) days'

notice by regular mail, or hand delivery, to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this Chapter is known to exist, and to take such other precautionary measures as he may deem necessary to eliminate any danger or contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions have been eliminated or corrected in compliance with the provisions of this Chapter and until a reconnection fee of two hundred fifty dollars (\$250.00) is paid to the City. Immediate disconnection with verbal notice can be effected when the Director is assured that imminent danger of harmful contamination of the public water supply system exists. Such action shall be followed by written notification of the cause of disconnection. Immediate disconnection without notice to any part can be effected to prevent actual or anticipated contamination or pollution of the public water supply; provided, that in the reasonable opinion of the Director, City Engineer or the Illinois Environmental Protection Agency, such action is required to prevent actual or potential contamination or pollution of the public water supply. Neither the public water supply, the Director 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 Chapter, whether or not said termination was with or without notice.

- F. The customer is responsible for back-siphoned or back-pressured material or contamination through backflow, if contamination of the potable water supply system occurs through an illegal cross-connection or an improperly installed, maintained or repaired device, or a device which has been bypassed, and must bear the cost of cleanup of the potable water supply system.
- G. The rules, regulations and standards of the City are on file in the office of the Director. These regulations detail the procedures and requirements of the City.
- H. Any violation of this Chapter shall be punishable by a fine of up to five hundred dollars (\$500.00) for each violation. Each twenty-four (24) hour period shall be considered a separate violation. (Ord. 95-15-1, 11-14-1995)

## **CHAPTER 6 RATES AND CHARGES**

### **SECTION:**

**8-6- 1: Water Rates, Charges, and Fees**

**8-6- 2: Water Rates Outside Corporate Limits**

**8-6- 3: Water Connection Fees**

**8-6- 4: Water; Multiple Connections**

**8-6- 5: Water Meter Fee**

- 8-6- 6: Basis For Wastewater Service Charges
- 8-6- 7: Measurement Of Flow
- 8-6- 8: Wastewater Service Charge Established
- 8-6- 9: Wastewater Connection Fees
- 8-6-10: Wastewater; Multiple Connections
- 8-6-11: Reserved
- 8-6-12: Sewer Rates Outside Corporate Limits
- 8-6-13: Separate Agreement
- 8-6-14: Surcharge Rates And Charges
- 8-6-15: Computation Of Wastewater Service Charges
- 8-6-16: Access To Records
- 8-6-17: Delinquency And Termination Of Service
- 8-6-18: Bills Less Than Ten Dollars
- 8-6-19: Hardship Payment
- 8-6-20: Property Not Fit For Occupancy
- 8-6-21: User Disconnecting Service
- 8-6-22: Appeals
- 8-6-23: Accounting

## 8-6-1: WATER WASTEWATER RATES, CHARGES, AND FEES:

A. The following rates, charges and fees are applicable to the chapters shown in the below chart and shall take effect on and thereafter May 1, 2017:

### Water Rates, Charges and Fees

8-6-1 B.	<b>Basic User Charge</b>	\$8.50
8-6-1- C.	<b>Water Rates Inside Corporate Limits</b>	\$3.05
8-6-2	<b>Water Rates Outside Corporate Limits</b>	\$4.60
8-6-3	<b>Water Connection Fees</b>	
	5/8 – 3/4 Inch Residential Meter	\$4,300.00
	3/4 Inch Meter	\$4,700.00
	1 Inch Meter	\$5,100.00
	1 1/2 Inch Meter	\$6,400.00
8-6-5 A.	<b>Water Meter Fees</b>	
	5/8 – 3/4 Inch Residential Meter	\$150.00
	3/4 Inch Meter	\$180.00
	1 Inch Meter	\$210.00
	<b>Water Meter Setter Fees</b>	
	5/8 – 3/4 Inch Residential Meter Setter	\$250.00
3/4 Inch Meter Setter	\$280.00	

	1 Inch Meter Setter	\$310.00
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**Sewer Rates, Charges and Fees**

8-6-8 A.	<b>Basic User Charge</b>	\$9.50
8-6-8 B.	<b>Sewer Rates Inside Corporate Limits</b>	\$3.80
8-6-9	<b>Sewer Connection Fees</b>	
	5/8 – 3/4 Inch Residential Meter	\$3,800.00
	3/4 Inch Meter	\$4,100.00
	1 Inch Meter	\$4,800.00
	1 1/2 Inch Meter	\$6,300.00

**B. Basic User Charge Inside Corporate Limits:** A basic user charge for water service is hereby established on the amount each monthly period for the purpose of payment of part of the fixed expenses incurred in the operation of the system which includes the cost of metering equipment, meter reading, customer billing and accounting, office and administrative expense.

The basic user charge shall be the amount shown in 8-6-1-A each monthly period and be applied to each single metered user.

**C. Water Rate Inside Corporate Limits:** For each metered user of the water service there shall be and there is hereby established a rate per thousand (1,000) gallons based upon the amount of water consumed as shown by the water meter reading each monthly period. The rate for water so established shall be sufficient at all times in amount to pay expenses incurred in the operation and maintenance of the system and to provide funds for the purpose of creating and maintaining an equipment replacement account to be set aside for the improvement, repair and replacement of said system and/or for the payment of principal and interest on bonds issued for said purposes.

The basic user rate for each thousand (1,000) gallons consumed as shown by the water meter shall be the amount shown in 8-6-1-A each monthly period and be applied to each single metered user. (Ord. 2017-12, 04-18-2017)

**8-6-2: WATER RATES OUTSIDE CORPORATE LIMITS:**

For each user of the water service located outside the corporate limits of the City, either a single metered or a user in a multiple-unit structure, the rate for water service shall be one hundred fifty percent (150%) of the rates effective within the City.

The water rates outside the corporate limits shall be the amount shown in 8-6-1-A each monthly period and be applied to each single metered user. (Ord. 2017-12, 04-18-2017)

### **8-6-3: WATER CONNECTION FEES:**

The meter equivalence unit (MEU) is applicable to service areas incorporating a mix of single-family, multiple-family, commercial, and industrial properties. The MEU is based on the meter-equivalent ratios established on the potential operating demand of meters by size and applied to the daily consumption of water of the waterworks system.

The fee for connection to the waterworks system within the corporate limits of the City shall be the amount shown in 8-6-1-A each monthly period and be applied to each single metered user. (Ord. 2017-12, 04-18-2017)

Any person owning or controlling premises located outside the corporate limits of the City and desiring to install a plumbing system on said premises and connect the same to the waterworks system of the City, may do so by complying with the requirements of this Chapter and by paying connection fees one hundred fifty percent (150%) of the amount applicable- within the corporate limits of the City and by paying the water bills in force or which may thereafter be adopted. If said premises are adjacent to the City, the applicant must agree to annex to the City, otherwise the City Council has the right to refuse water service.

Each water connection in the premises shall impose liability for the periodic water service charge to be billed initially to the owner not later than sixty (60) days after service is available to the owner's premises whether or not said owner makes actual use of the water service.

The connection fees described above shall be payable at the time of application to the system and each applicant shall pay all costs and expenses relating to the installation of the water connection, which shall include the cost of labor and materials. The cost of installation shall be in addition to the connection fees and inspection fees as may be required. The owner or person in use of the premises shall pay all costs and expenses of the maintenance and repair of the building water connection. (Ord. 95-15-1, 11-14-1995)



#### **8-6-4: WATER: MULTIPLE CONNECTIONS:**

A "multiple-unit user" is defined as any additional number of residential or commercial units located on the same premises and being served through a single water meter, where there are no separate water meters for each unit, such as apartment buildings, trailer courts, or commercial and residential units located within the same building.

In the event a separate billing is required for each unit, the charge for each unit shall consist of the basic user charge plus a proportionate share of water consumed as shown by the meter determined by dividing the meter reading by the total number of units connected and multiplying this pro rata share by the rate then effective for water service. (Ord. 95-15-1, 11-14-1995)

#### **8-6-5: WATER METER FEE:**

- A. The fee to be charged for water meters shall be the amount shown in 8-6-1-A and be applied to each single metered user.
- B. The fee to be charged for water meter setters shall be the amount shown in 8-6-1-A and be applied to each single metered user.
  - 1. The Director of Public Works shall determine fees to be charged for all other water meters that exceed (1) inch. (Ord. 2017-12, 04-18-2017)

#### **8-6-6: BASIS FOR WASTEWATER SERVICE CHARGES:**

The wastewater service charges for the use of and for service supplied by the wastewater facilities of the City shall consist of a basic user charge to pay part of administrative expenses incurred in the operation of the system and a basic user rate to pay the remainder of operation, maintenance and replacement expense of the system; and if applicable, a fixed debt service charge, a variable debt service rate and a surcharge in such amounts as are determined in the manner set forth below.

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

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

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

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

1. Estimate the projected annual revenue required to operate and maintain the wastewater facilities, including a replacement fund, for the next fiscal year for all works categories.
  2. Proportion the estimated costs to wastewater facility categories by volume, suspended solids and BOD5-
  3. Estimate wastewater volume, pounds of SS and pounds of BOD, to be treated.
  4. Compute unit costs for volume (dollars per 1,000 gallons), for suspended solids (dollars per pound) and BOD5 (dollars per pound).
  5. Compute costs per one thousand (1,000) gallons for volume, SS and BOD5 at normal sewage strength. Add these costs to determine the charge for operation and maintenance including replacement.
- B. Debt Service Charge: An additional charge for debt service, as may be required, consisting of a fixed charge per billing period in such amount as the City Council may determine, applicable to each unit connected to the system, which shall include apartment units and other units in multiple-unit structures, shall be charged in order to pay part of the annual principal and interest requirements.
- C. Debt Service Rate: A debt service rate consisting of a rate per thousand (1,000) gallons of usage shall be determined by dividing the balance of the amount required to pay annual principal and interest requirements (after deducting revenue received from the fixed debt service charge) by the total number of gallons billed in the preceding fiscal year for sewer service.

- D. Surcharge: A surcharge will be levied upon all users whose wastes exceed the normal concentrations for BOD (200 mg/1), and suspended solids (250 mg/1). The surcharge will be based on water usage as recorded by water meters and/or sewage meters for all wastes which exceed these parameters.

The wastewater service shall be reviewed annually by certified public accountants to the City in their annual audit report. It shall be revised periodically to reflect the change in debt service or a change in operation and maintenance expense, including replacement costs.

The users of wastewater treatment services will be notified annually, in conjunction with a regular bill, of the rate in that portion of the user charges which are attributable to the wastewater treatment operation, maintenance and replacement. (Ord. 95-15-1, 11-14-1995)

#### **8-6-7: MEASUREMENT OF FLOW:**

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

- A. If the person discharging wastes into the public sewers procures any part, or all, of his water from sources other than the public waterworks system, all or part of which is discharged into the public sewers, the person shall, if directed by the Director, install and maintain, at his expense, water meters of a type approved by the Director for the purpose of determining the volume of water obtained from these sources.
- B. Devices for measuring the volume of waste discharged may be required by the Director if these volumes cannot otherwise be determined from the metered water consumption records.
- C. Metering devices for determining the volume of waste shall be installed, and maintained by the person. Following approval and installation, such meters may not be removed, unless service is cancelled, without the consent of the Director. (Ord. 95-15-1, 11-14-1995)

#### **8-6-8: WASTEWATER SERVICE CHARGE ESTABLISHED:**

For each user of the sewer service of the combined waterworks and wastewater facilities there shall be a charge or rate based upon the amount of water consumed, as shown by water meters, each bimonthly period as follows:

A. **Basic User Charge Inside Corporate Limits**: A basic user charge for sewer service is hereby established on the amount each monthly period for the purpose of payment of part of the fixed expenses incurred in the operation of the system which includes the cost of metering equipment, meter reading, customer billing and accounting, office and administrative expense.

The basic user charge shall be the amount shown in 8-6-1-A each monthly period and be applied to each single metered user.

B. **Basic User Rate Inside Corporate Limits**: For each metered user of the sewer service there shall be and there is hereby established a rate per thousand (1,000) gallons based upon the amount of water consumed as shown by the water meter reading each monthly period. The rate for water so established shall be sufficient at all times in amount to pay expenses incurred in the operation and maintenance of the system and to provide funds for the purpose of creating and maintaining an equipment replacement account to be set aside for the improvement, repair and replacement of said system and/or for the payment of principal and interest on bonds issued for said purposes.

The basic user rate for each thousand (1,000) gallons consumed as shown by the water meter shall be the amount shown in 8-6-1-A each monthly period and be applied to each single metered user. (Ord. 2017-12, 04-18-2017)

## **8-6-9: WASTEWATER CONNECTION FEES:**

The meter equivalence unit (MEU) is applicable to service areas incorporating a mix of single-family, multiple-family, commercial, and industrial properties. The MEU is based on the meter-equivalent ratios established on the potential operating demand of meters by size and applied to the daily consumption of water of the waterworks system.

The fee for connection to the waterworks system within the corporate limits of the City shall be the amount shown in 8-6-1-A each monthly period and be applied to each single metered user. (Ord. 2017-12, 04-18-2017)

Any person owning or controlling premises located outside the corporate limits of the City and desiring to install a plumbing system on said premises and connect the same to the sanitary wastewater facilities of the City, may do so by complying with the requirements of this Chapter and by paying connection fees one hundred fifty percent (150%) of the amount applicable within the corporate limits of the City and by paying the sewer bills in force or which may thereafter be adopted. If said premises are adjacent to the City, the applicant

must agree to annex to the City, otherwise the City Council has the right to refuse sewer service.

Each sewer connection and building sewer in the premises shall impose liability for the periodic sewer service charge to be billed initially to the owner not later than sixty (60) days after service is available to the owner's premises whether or not said owner makes actual use of the water service.

The connection fees described above shall be payable at the time of application to the system and each applicant shall pay all costs and expenses relating to the installation of the sewer connection, which shall include the cost of labor and materials. The cost of installation shall be in addition to the connection fees and inspection fees as may be required. The owner or person in use of the premises shall pay all costs and expenses of the maintenance and repair of the building sewer connection. (Ord. 95-15-1, 11-14-1995)

#### **8-6-10: WASTEWATER; MULTIPLE CONNECTIONS:**

A "multiple unit user" is defined as any additional number of residential or commercial units located on the same premises and being served through a single water meter or sewer connection where there are no separate water meters for each residential or commercial unit, such as apartment buildings, trailer courts, or commercial and residential units located within the same building. (Ord. 95-15-1, 11-14-1995)

#### **8-6-11: RESERVED**

Repealed by Ord. 2017-15, 04-18-2017)

#### **8-6-12: SEWER RATES OUTSIDE CORPORATE LIMITS:**

For each user of the sewerage service of the combined system located outside the corporate limits of the City, there is hereby established a rate of one hundred fifty percent (150%) over the regular rates within the corporate limits of the City. (Ord. 95-15-1, 11-14-1995)

#### **8-6-13: SEPARATE AGREEMENT:**

The City reserves the right to enter into a separate agreement with any user located outside the corporate limits for service to be supplied, with reference particularly to sanitary sewer service supplied to the Village of Kingston. (Ord. 95-15-1, 11-14-1995)

### **8-6-14: SURCHARGE RATES AND CHARGES:**

The rate of surcharge for BODS and suspended solids and NH<sub>3</sub>, shall be as follows:

- A. For biochemical oxygen demand (BODS)      \$0.195 cents/pound
- B. For suspended solids      0.13 cents/pound
- C. For nitrogen removal

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

- S                    =  $V (0.00834) ( (BOD5-200) + B (SS-250) )$
- Where S            = Amount of surcharge in dollars
- V                    = Wastewater volume in thousand gallons per billing period
- (0.00834)          = Unit weight of water x 10-s per thousand gallons
- A                    = Unit charge for BOD5 per pound
- BOD5                = 5 day biochemical oxygen demand, mg/l
- 200                 = Allowable average BOD5 concentration, mg/l
- B                    = Unit charge for SS per pound
- SS                  = Suspendable solids, mg/l
- 250                 = Allowable average SS concentration, mg/l

The concentration of waste 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 and shall be binding as a basis for surcharge. (Ord. 95-151, 11-14-1995)

### **8-6-15: COMPUTATION OF WASTEWATER SERVICE CHARGES:**

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

- WC                 =  $BUC (V \times BUR) + DSC + S$
- BUC                = Basic user charge for each unit served
- V                    = Wastewater volume in thousand gallons per billing period
- BUR                = Basic user rate for operation, maintenance and replacement expense
- DSC                = Debt service charge for the fixed charge applicable to payment

of debt service  
S = Amount of wastewater surcharge in dollars as computed by the  
surcharge formula

(Ord. 95-15-1, 11-14-1995)

### **8-6-16: ACCESS TO RECORDS:**

The Illinois Environmental Protection Agency or its authorized representative shall have access to any books, documents, papers and records of the City which are applicable to the City system of user charges for the purpose of making audit, examination, excerpts and transcriptions thereof to ensure compliance with the terms of the special and general conditions to any State grant. (Ord. 95-15-1, 11-14-1995)

### **8-6-17: DELINQUENCY AND TERMINATION OF SERVICE:**

All bills relating to water and/or wastewater service charges shall be paid on or before the eighteenth calendar day from the date said bill is posted in the United States mail. Any person paying said bill after the eighteenth calendar day shall be assessed and required to pay a penalty of ten dollars (\$10.00) or ten percent (10%) of the amount owed, whichever is greater in addition to the service charges:

- A. Whenever bills remain unpaid after the eighteenth (18<sup>th</sup>) calendar day and said bill was posted in the United States mail, the user shall be sent a penalty notice posted in the U S Mail which will serve as written notice stating the date the service will be shut off.
- B. To reinstate service, a reconnect fee of fifty dollars (\$50.00) shall be assessed and added to said bill. The service may be reinstated only after the original bill, plus the ten dollar (\$10.00) or ten percent (10%), whichever is greater, penalty charge, plus the reconnect fee of fifty dollars (\$50.00), has been paid. (Ord. 2007-23, 07-17-2007)

### **8-6-18: BILLS LESS THAN TEN DOLLARS:**

In the event that a user's bill is for an amount less than ten dollars (\$10.00) and that bill is unpaid after eighteen (18) days, no such penalty or delinquent charges or actions shall apply. Instead, said bill amount shall be applied to the next regularly scheduled bill for that user. (Ord. 2007-23, 07-17-2007).

### **8-6-19: HARDSHIP PAYMENT:**

## A. WATER BILLS:

Any person for economic hardship reasons may contact the City by the eighteenth calendar day after said bill has been posted in the United States mail to be allowed to make payment per a submitted and approved payment plan.

Should the payer fail to make any payment within three (3) days per the approved payment plan, the total bill and above stated penalties will be due and owing.

In the event that the City extends its water and wastewater facilities into an area of the City not previously served by the City, and as a result the owner is required to connect to the City facilities pursuant to Sections 8-3-3 and 8-4-5 of this Title, then such owner may, upon application, request that a payment plan be approved allowing the owner, or the owner's successors, to pay for water, wastewater connection fees, water meter fees and installation costs in such manner. The Mayor, or his designee, shall, upon a showing of economic hardship, and after the approval of the applicant, recommend such plan for approval by the City Council. The plan shall not extend beyond ten (10) years, and shall provide that the charges in the amounts as determined by the Mayor shall be billed and paid as part of the regular water and wastewater user bills. Failure to pay the charges as agreed upon shall be considered a failure to pay for water and sewer service and will allow the City to use all remedies available to it as set forth in this Title to collect on delinquent bills. All installment agreements entered into by the Mayor or his designee and approved by the Council shall include a term which mandates that all monies due and owing for the connection to the water/waste system shall be paid to the City at the time of any sale of said property. (Ord. 2007-23, 07-17-2007)

## B. SEWER REPAIR AND REPLACEMENT

1. The owner of a residential dwelling unit who repaired or caused to be repaired an exterior building sewer service line connected to a City main sewer may submit an application to the Director of Public Works requesting reimbursement from the City for up to 80% of the costs for repairing the sewer service line beneath a City owned public street or alley, as set forth below:
  - a. The City may require the homeowner's building sewer service line be televised by City Staff before any work can begin, and if needed, the City may request the Contractor performing the work to excavate down to the sewer service line at location determined by the City and remove a portion of the pipe to further televise the homeowner's sewer service line allowing the City to determine if the sewer service line underneath the roadway warrants repair. All work and associated cost that may apply in this paragraph is subject to this ordinance.
  - b. The City may pay up to eighty percent (80%) of customary operating cost for excavation to expose the old sewer pipe located beneath the street roadway: and
  - c. The City may pay up to eighty percent (80%) of customary hauling cost for the City's portion of accumulated unusable backfill material from the excavation site



(based on cubic yards transported in a five (5) ton dump truck or larger) from sewer work location to a distance no further than DeKalb County's boundary line; however, no reimbursement shall be paid by the City for dumping related charges for the material; and

- d. The City may pay up to eighty percent (80%) of customary cost for gravel as determined by the issued permit to backfill the sewer excavation, including customary cost to install gravel backfill material from the top of new sewer pipe to the top of the road surface.
2. The City shall not reimburse any cost to the property owner for the sewer repair work as described below:
- a. The property owner is solely responsible to pay the cost for new sewer piping and incidental parts, and all associated cost for work performed to remove and install sewer piping; and
  - b. The property owner shall pay the cost for backfill material, finish grading, restoration work, and trees or shrubs located on private property or public easement; and
  - c. The property owner shall pay the cost for backfill material, finish grading, restoration work, and trees or shrubs located in a public parkway extending from the edge of street roadway pavement or curb; and
  - d. The property owner or property owner's agent shall pay the cost for damages to city streets and curbing, city trees and sidewalks, city water mains, service lines and structures, city sewer mains and structures, city storm sewers and structures; and
  - e. The property owner or property owner's agent shall pay the cost for damages caused during the sewer project to public or private utilities such as, but limited to above and below ground electrical lines, telephone lines, cable television lines, and gas lines as determined by the Director of Public Works and utility companies; and
  - f. The property owner or property owner's agent's pay the cost for damages to adjacent or abutting property including public or private utilities.
3. The Director of Public Works may investigate the circumstances of the service repair work which is the subject of the application for cost reimbursement, and shall notify the applicant of the amount of reimbursement, if any, to be paid from funds budgeted for this purpose. In determining the amount of reimbursement, the Director of Public

Works shall consider all relevant factors, including but not limited to the items described below:

- a. Whether it is the property owner's responsibility to provide connection to the City's main sewer or water main.
- b. Whether damage or obstruction causing repair was due to acts of neglect by the property owner or owner's agent.
- c. Whether damage or obstruction causing repair was due to other utility installation or repairs performed by the property owner or owner's agent.
- d. Whether damage or obstruction causing repair was due to excavation work performed by the property owner or owner's agent.
- e. Whether all permit requirements for the subject work were adhered to and completed by the property owner or owner's agent.
- f. Whether sewer service line repairs were inspected and approved by the City.
- g. Whether the property owner has provided the City with all invoices and receipts for the cost of the sewer service line repair work as required by the Director of Public Works.
- h. Whether the property owner has provided complete and accurate information about the sewer work to the Director of Public Works.
- i. The funds remaining from the amount authorized by the City Council for this purpose and the other reimbursement applications pending of the time of determination. (Ord. 2006-19, 06-06-2006)

#### **8-6-20: PROPERTY NOT FIT FOR OCCUPANCY:**

Should service remain disconnected past the thirty-eighth calendar day from the day said bill was posted in the United States mail, the property will be posted "Not Fit for Human Occupancy" by affixing a red tag to the property. It is a violation of this Title for anyone other than a City official to remove said tag.

Within twenty four (24) hours after being red-tagged, all persons and animals are to vacate the property until said service is reinstated. (Ord. 95-15-1, 11-14-1995)

#### **8-6-21: USER DISCONNECTING SERVICE:**

Any person wishing to discontinue service shall give written notice thereto to the City prior to the expiration of the time for which payment has been made or became due and

remaining unpaid; otherwise, he shall be liable for the charge for the ensuing billing per period. (Ord. 95-15-1, 11-14-1995)

### **8-6-22: APPEALS:**

The method for computation of rates and service charges established for user charges shall be made available to a user within twenty (20) days of receipt of a written request for such. Any disagreement over the method used or in the computation thereof shall be remedied by the sewer and water committee within twenty on6 (21) days after notification of a formal written appeal outlining the discrepancies. (Ord. 95-15-1, 11-14-1995)

### **8-6-23: ACCOUNTING:**

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

- A. Flow data showing total gallons received at the wastewater plant for the current fiscal year.
- B. Billing data to show total number of thousand gallons billed.
- C. Debt service for the next succeeding fiscal year.
- D. Number of users connected to the system.
- E. Number of nonmetered users.
- F. A list of users discharging nondomestic wastes (industrial users) and volume of waste discharged.

The annual audit reports shall contain such other financial information consistent with future guidelines to be promulgated by the U.S. Environmental Protection Agency. (Ord. 95-15-1, 11-14-1995)

## **CHAPTER 7 PENALTIES**

**SECTION:**

**8-7-1: Penalties**

**8-7-1: PENALTIES:**

- A. Except where a different penalty is specifically provided, any person found to be violating any provisions of this Title shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- B. Except where a different penalty is specifically provided, any person who shall continue any violation beyond the time limit provided for in subsection A of this Section shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding five hundred dollars (\$500.00) nor less than twenty five dollars (\$25.00) for each violation. Each day in which any such violation shall continue shall be deemed as a separate offense.
- C. Any person violating any of the provisions of this Title shall become liable to the City for any expense, loss, or damage occasioned the City by reason of such violation (including reasonable attorney fees and costs incurred in the enforcement of this Title). (Ord. 95-15-1, 11-14-1995)