

**TITLE 7**  
**PUBLIC UTILITIES**

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## CHAPTER 1

**WATER AND SEWER RATES AND CHARGES**

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7-1-1:       **DEFINITIONS:**    Unless the context specifically indicates otherwise, the meanings of terms used in this chapter shall be as follows:

## FEDERAL GOVERNMENT:

Administrator:	The administrator of the U.S. environmental protection agency.
Federal Act:	The federal water pollution control act (33 USC 1251 et seq.), as amended by the federal water pollution control act of amendments of 1972 (Pub. L. 92-500 and Pub. L. 93-243).
Federal Grant:	The U.S. government participation in the financing of the construction of treatment works as provide

for by title II, grants for construction of treatment works of the act and implementing regulations.

**LOCAL GOVERNMENT:**

Approving Authority: The Village Board.

Village: The village of Shabbona.

NPDES PERMIT: Any permit or equivalent document or requirements issued by the administrator, or where appropriated by the director, after enactment of the federal water pollution control amendments of 1972, to regulate the discharge of pollutants pursuant to section 402 of the federal act.

PERSON: Any and all persons, natural or artificial, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, government agency or other entity.

**SEWER TYPES AND APPURTENANCES:**

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.

Combined Sewer: A sewer which is designed and intended to receive wastewater and storm, surface and ground water drainage.

Easement: An acquired legal right for the specific use of land owned by others.

Public Sewer: A sewer provided by or subject to the jurisdiction of the village. The term shall also include sewers

within or outside the village boundaries that serve one or more persons and ultimately discharge into the village sanitary (or combined) sewer system, even though those sewers may not have been constructed with village funds.

Sanitary Sewer:	A sewer that conveys sewage or industrial wastes, or a combination of both, and into which storm, surface, and ground waters or unpolluted 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.
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.
SHALL; MAY:	"Shall" is mandatory; "may" is permissible.
STATE GOVERNMENT:	
Director:	The director of the Illinois environmental protection agency.
State Act:	The Illinois antipollution bond act of 1970 <sup>1</sup> .
State Grant:	The state of Illinois participation in the financing of the construction of treatment works as provided for by the Illinois antipollution bond act and for making

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1. 30 ILCS 405/1 et seq.

such grants as filed with the secretary of state of the state of Illinois.

#### TREATMENT:

**Pretreatment:** The treatment of wastewaters from sources before introduction into the wastewater treatment works.

**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".

#### TYPES OF CHARGES:

**Basic User Charge:** The basic assessment levied on all users of the public sewer system.

**Debt Service Charge:** The amount to be paid each billing period for payment of interest, principal and coverage of loan, bond, etc., outstanding and shall be computed by dividing the annual debt service by the number of users connected to the wastewater facilities.

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

**Sewerage Fund:** The principal accounting designation for all revenues received in the operation of the sewerage system.

**Surcharge:** The assessment in addition to the basic user

charge and debt service charge which is levied on those persons whose wastes are greater in strength than the concentration values established in this chapter.

**Useful Life:** The estimated period during which the collection system and/or treatment works will be operated and shall be years from the date of startup of any wastewater facilities constructed with a state grant.

**User Charge:** A charge levied on users of treatment works for the cost of operation and maintenance.

**Wastewater Service Charge:** The charge per quarter or month levied on all user of the wastewater facilities. The service charge shall be computed as outlined in sections 7-1-3 and 7-1-4 of this chapter and shall consist of the total or the basic user charge, the debt service charge and a surcharge, if applicable.

#### USER TYPES:

**Control Manhole:** A structure located on a site from which industrial wastes are discharged. Where feasible, the manhole shall have an interior drop. The purpose of a "control manhole" is to provide access for the village representative to sample and/or measure discharges.

**Industrial User:** A. Any nongovernmental user of publicly owned treatment works identified in the "Standard Industrial Classification Manual 1972", office of management and budget, as amended and supplemented, under the following divisions:

1. Division A, agriculture, forestry, and fishing.
2. Division B, mining.
3. Division D, manufacturing.

4. Division E, transportation, communications, electric, gas and sanitary services.

5. Division I, services.

B. A user in the divisions listed may be excluded if it is determined by the Village that it will introduce primarily segregated domestic wastes or wastes from sanitary conveniences.

Residential Or Commercial:	Any user of the treatment works not classified as Or
Nonindustrial User:	an industrial user or excluded as an industrial user as provided for in this section.
User Class:	The type of user, either "residential or commercial" (nonindustrial) or "industrial", as defined in this section.

#### WASTEWATER AND ITS CHARACTERISTICS:

BOD (Denoting	The quantity of oxygen utilized in the biochemical Biochemical oxidation of organic matter under standard Oxygen Demand): laboratory procedure in five (5) days at twenty degrees Celsius (20°C), expressed in milligrams per liter.
Effluent Criteria:	Are defined in any applicable NPDES permit.
Floatable Oil:	Oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of "floatable oil" if it is properly pretreated and the wastewater does not interfere with the collection system.
Garbage:	Solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.

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.
Major Contributing Industry:	An industrial user of the publicly owned treatment works that: a) has a flow of fifty thousand (50,000) gallons or more per average workday; or b) has a flow greater than ten 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 issuance authority, in connection with the issuance of the NPDES permit to the publicly owned treatment works receiving the waste, to have significant impact, either singly or in combination with other contributing industries, on that treatment works or upon the quality of effluent from that treatment works.
Milligrams Per Liter:	A unit of the concentration of water or wastewater constituent. It is 0.001 gram of the constituent in one thousand milliliters (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.
ppm:	Parts per million by weight.
pH:	The logarithm (base 10) of the reciprocal of the hydrogen ion concentration expressed by one of the procedures outlined in standard methods.
Population Equivalent:	A term used to evaluate the impact of industrial or other waste on a treatment works or stream. "One population equivalent" is one hundred (100)



gallons of sewage per day containing 0.171 pounds of BOD and 0.21 pounds of suspended solids.

**Properly Shredded Garbage:** The wastes from the preparation, cooking, and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch ( $\frac{1}{2}$ " (1.27 centimeters) in any dimension.

**Sewerage:** Is used interchangeably with "wastewater".

**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 of flows during normal operation.

**Standard Methods:** The examination and analytical procedures set forth in the most recent edition of "Standard Methods For The Examination Of Water And Wastewater", published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

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

**Unpolluted Water:** Water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the

sanitary sewers and wastewater treatment facilities provided.

**Wastewater:** The spent water of a community. From this standpoint, of course, "wastewater" may be a combination of the liquid carried and water carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any ground water, surface water, and stormwater that may be present.

**Water Quality Standards:** Are defined in the water pollution regulations of Illinois.

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

**WATERCOURSE AND CONNECTIONS:**

**Natural Outlet:** Any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

**Watercourse:** A channel in which a flow of water occurs, either continuously or intermittently. (1995 Code ch. 14 appendix 1; amd. 2009 Code)

**7-1-2: TAP FEES:**

A. Fees Established: The following fees are hereby established and shall be paid and collected after the effective date hereof:

1. Water Taps: To connect to the municipal water system (cost of meter is additional), two thousand five hundred dollars (\$2,500.00) per residential unit.

2. Sewer Taps: To connect to the municipal sanitary sewer system, four thousand five hundred dollars (\$4,500.00) per unit.

B. Due Date: Fees to be paid under this section for each unit shall be due and payable at the time a permit for construction is requested and shall be paid prior to the issuance of such permit.

C. Use And Disposition Of Funds:

1. All funds paid hereunder shall be held in an encumbered account by the village for the uses described in subsection C2 of this section.

2. The money that is collected by the village pursuant to this section can be used for the purchase of equipment, the purchase of land, and the construction of permanent structures on said premises, or the extension, rehabilitation, maintenance or improvement of existing water mains, sewer lines, treatment facilities or other permanent improvements.

3. All of said funds shall be paid to the village treasurer who shall place all funds in an encumbered account within sixty (60) days of receipt.

4. The payments received for any specific fund shall not be used for any other purposes except those specified herein for each specific payment.

D. Scope Of Fees:

1. Residential: Any single-family residential unit, for which a permit is sought after the effective date hereof, shall be required to pay the fees set forth in subsection A of this section. For purposes of this section, a "single-family residential unit" shall be defined as each individual single-family home, each individual unit of a duplex, and each individual unit of any multi-family structure.

2. Commercial And Industrial: Any building to be used for business, office, school or manufacturing, for which a permit is sought after the effective date hereof, shall be required to pay the fees imposed herein. If water use is anticipated to be in excess of a single-family residential unit, the connection fees shall be increased accordingly. (Ord. 2008-5-19(b), 5-19-2008)

**7-1-3: USER RATES AND CHARGES:**

- A. Established: There shall be and is hereby established rates and charges for the water supplied by the municipal waterworks of the village based upon meter readings of the amount of water consumed in each three (3) month period on each premises supplied with water. (Ord. 2010-07-26, 7-26-2010, eff. retroactive to 7-1-2010)

1. Water Use: Effective January 1, 2017, the fees for water service shall be as follows:

a. Inside village limits:

\$4.24 per thousand gallons  
Minimum 8,000 gallons – \$33.92  
\$4.42/thousand gallons thereafter

b. Outside village limits:

\$5.29 per thousand gallons  
Minimum 8,000 gallons – \$42.32  
\$5.29/thousand gallons thereafter

2. Sewer Use: January 1, 2017, the fees for sewer service shall be as follows:

a. Inside village limits:

\$5.32 per thousand gallons  
Minimum 8,000 gallons – \$42.56  
\$5.32/thousand gallons thereafter

b. Outside village limits:

\$6.71 per thousand gallons  
Minimum 8,000 gallons – \$53.68  
\$6.71/thousand gallons thereafter

(Ord. 2012-12-17(b), 12-17-2012; amd. Ord. 2015-10-26(B), 10-26-2015; amd. Ord. 2017-05-22(A), 5-22-17)

3. Application Of Rates And Charges: The above minimum charges shall apply to each apartment, flat, place of business, or family unit served by or through each service connection for each three (3) month period.

4. There is further imposed upon all bills for water and/or sewer service from the Village of Shabbona, a monthly fee of \$10.00 to cover debt service on the water and sewer project on East Navaho construction during the year 2012.

5. Recognizing that the availability of water, sewer and garbage service is an important benefit to all properties within the village, there shall be a flat rate fee equal to the minimum monthly fee charged residents within the village for water, sewer, and garbage services including any applicable meter fee and bond service. This fee shall be charged any property for which water service has been discontinued regardless of reason or cause of the discontinuance of service. This fee is expressly in lieu of any specific charges for water service, sewer service, bond service, or garbage service as set forth above or anywhere else in this Code and shall be charged from the date of shut-off until the date service is re-commenced. As of the date of this Ordinance, the minimum billing for these services within the village is as follows:

- a. \$52.49 if garbage services are rendered;
- b. \$106.89 if water and sewer services are rendered and resident has a waiver for garbage services (resident has agreed to pay for dumpster or the Board has agreed the resident does not need garbage services);
- c. \$120.45 if water and garbage services are rendered (and sewer services are not available); and
- d. \$161.10 if water, sewer, and garbage services are rendered.

The above referenced minimum fees are subject to change from time to time. (Ordinance 2013-12-16(b), 12-16-2013)

6. In the event what would otherwise be a single family unit is configured for multi-family occupancy, each dwelling unit shall have a separate water meter and shall be billed separately and each shall pay not less than the minimum charges set forth above for water and sewer service. In the event the owner of such a re-configured single family unit re-converts such a unit to single family use, upon notice to the Village, they shall receive a single bill for all water (and sewer service) used at said residence. (Ord. 2013-12-16(b), 12-16-2013)

7. After the effective date of this Ordinance, in the event any owner of a single family residence is desirous of converting the same to multi-family use (regardless of whether it has, in the past, been used as a multi-family residence), the property must have separate water meters for each residence within the unit and there shall be a fee paid for the commencement of service as per the terms of 7-1-3 B hereafter. It is the responsibility of the owner to notify the Village when service to the additional unit will commence and failure to do so shall be deemed an offense for which the General Penalty is set forth in Section 1, Chapter 4 Section 1-4-1 of this Code. (Ord. 2013-12-16(b), 12-16-2013)

- B. Establishing Water Service: There shall be a fee of fifty dollars (\$50.00) to commence or re-commence water service to any property connected to the village water supply. Said fee shall be applicable when ownership changes, regardless of whether water service is physically shut off or not. (Ord. 2007-01-22A, 1-22-2007, eff. retroactive to 1-1-2007; amd. Ord. 2015-10-26(B), 10-26-2015)
- C. Metered Water Required; Responsibility For Meter Costs: All water supplied shall be metered to the consumer. All new service connections shall be installed at the expense of the applicant. Water meters must be purchased from the village and will be charged to the consumer at the then current rate. Meters will be maintained and replaced by the village at no charge. A water meter replacement and maintenance fee of three dollars eighty-six cents (\$3.86) per quarter is hereby assessed and shall be paid by each consumer with his/her/their quarterly bill. (Ord. 2007-02-26(a), 2-26-2007; amd. Ord. 2015-10-26(B), 10-26-2015)
- D. Connection Fees: No connection shall be made to the village water supply unless and until the connection fee applicable at the time is paid to the village treasurer. The applicable fee shall be that fee which is in

effect at the time when the connection is requested<sup>2</sup>. (Ord. 2007-01-22A, 1-22-2007, eff. retroactive to 1-1-2007)

**7-1-4: DETERMINATION OF SEWER USE FEES; INDUSTRIAL COST RECOVERY:**

**A. Basis For Charges:**

1. The wastewater service charge for the use of and for service supplied by the wastewater facilities of the village shall consist of a basic user charge for operation and maintenance, plus replacement. The basic user charge shall be based on water usage as recorded by water meters and/or sewage meters. It shall consist of operation and maintenance costs, plus replacement, and shall be computed as follows:

- a. Estimate the projected annual revenue required to operate and maintain the wastewater facilities, including a replacement fund for the year, for all works categories.
- b. Proportion the estimated costs to wastewater facility categories by volume.
- c. Estimate wastewater volume to be treated.
- d. Proportion the estimated costs to users by volume.
- e. Compute costs per one thousand (1,000) gallons.

2. The adequacy of the wastewater service charge shall be reviewed annually by certified public accountants for the village in their annual audit report and shall be revised periodically to reflect a change in operation and maintenance costs, including replacement costs. (1995 Code ch. 14 art. I § 1)

**B. Measurement Of Flow:**

1. The volume of flow used for computing basic user charges and

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2. See section 7-1-2 of this chapter.

surcharges shall be metered water consumption read to the lowest even increments of one thousand (1,000) gallons.

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

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

4. Metering devices for determining the volume of waste shall be installed, owned, and maintained by the person. Following approval and installation, such meters may not be removed, unless service is cancelled, without the consent of the Village. (1995 Code ch. 14 art. I § 2)

**7-1-5: DISCHARGE OF STORM AND SURFACE WATER INTO  
SANITARY SEWER; FEE ASSESSMENT:**

- A. Authority; Fee Amount: From the effective date hereof and pursuant to authority set forth in section 7-3-5 of this title, the village shall assess a usage fee of one hundred dollars (\$100.00) per month, or such greater amount as the board of trustees, in the exercise of its discretion, deems to be appropriate, for the handling of stormwater, surface water, ground water, foundation rainwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters.
- B. Scope Of Fee: The fee shall be assessed against each and every system user, including, but not limited to, all households, commercial businesses, industries, schools, churches and not for profit organizations (hereinafter referred to as the "assessable entity") within the village.
- C. Determination If Fee To Be Imposed:
  - 1. Compliance With Village Provisions Required: Notwithstanding this blanket imposition of a fee for handling inflow and infiltration of



stormwater into the system, such fee shall not become due and owing by an assessable entity until a determination has been made by a recognized agent of the village that such assessable entity has failed to comply with section 7-3-5 of this title.

2. Inspections: Such determination shall be made by an inspection of the premises of the assessable entity subsequent to a written demand for inspection, served by regular or certified mail addressed to the assessable entity at its common address.

3. Certificate Of Compliance; Waiver Of Fee: If, after inspection, the recognized agent of the village determines that the assessable entity is in compliance with section 7-3-5 of this title, a certificate of compliance shall issue, and the fee for handling stormwater, surface water, ground water, foundation rainwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters shall be waived by the village and deemed not applicable to the assessable entity thus receiving a certificate of compliance.

4. Noncompliance; Notice And Procedure:

a. If, after inspection, the recognized agent of the village determines that the assessable entity is not in compliance with section 7-3-5 of this title, written notice of said fact shall be served upon the owner or agent of the assessable entity who shall be given a period of ninety (90) days (or such periods thereafter as may be granted by the board of trustees) to correct any defects found during the inspection and make such repairs or corrections as are necessary to come into compliance with said section 7-3-5.

b. If, at any time prior to the expiration of said ninety (90) day period (or the expiration of such extensions thereof as may be granted), the recognized agent of the village determines, upon inspection, that the assessable entity has come into compliance with section 7-3-5 of this title, the assessable entity shall be given a certificate of compliance, and the fee for handling stormwater, surface water, ground water, foundation rainwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters shall be waived by the village and deemed not applicable to the assessable entity thus receiving

a certificate of compliance.

c. If the ninety (90) day period to correct noncompliance (or any extensions thereof) expires and the district has not been requested or permitted to reinspect the premises to determine that compliance with section 7-3-5 of this title has been achieved, then such entity shall be deemed presumptively in violation of said section 7-3-5, and hence, an additional burden on the village sewer system, and the fee hereinabove established will be assessed.

5. Effect Of Certificate Of Compliance And Fee Waiver: The certificate of compliance and accompanying waiver of usage fee shall be valid and binding for so long as no subsequent written demand for inspection, as hereinabove referred to, has been served, but if a written demand is so served, then the certificate of compliance is immediately revoked along with the accompanying fee waiver. In the event a subsequent written demand for inspection is made on the assessable entity, said usage fee will not be due and owing until a determination has been made by a recognized agent of the village that such assessable entity has failed to comply with section 7-3-5 of this title, as hereinabove provided.

- D. Refusal Of Entry For Inspection; Immediate Assessment: In the event an inspector of the village shall be denied access to inspect the assessable entity after written demand and a reasonable opportunity granted to conduct the inspection, such entity shall be deemed presumptively in violation of section 7-3-5 of this title, and hence, an additional burden on the village sewer system, and the fee hereinabove mentioned shall be assessed immediately.
- E. Notice Of Assessment; Surcharge On Bill; Delinquent Payments: In the event assessments of the fee shall be made, the owners of the assessable entity shall be notified, in writing, and the assessments shall become due and payable beginning with the thirtieth day following written notice thereof. Such monthly assessments shall continue until such time as the assessable entity receives a certificate of compliance

from a recognized agent of the village. Such assessments shall be billed as a "surcharge" to the assessable entity on the normal quarterly billing for sewer charges, and unless the same is paid when due, normal procedures will be employed for collection of those surcharges, including the filing of a lien against the subject property and/or disconnection. (Ord., 4-28-1997)

**7-1-6: RENDITION OF BILLS; DUE DATE:** All rates or charges for service (wastewater or water service charges) shall be payable quarterly depending on the classification of service for which bills are rendered. Bills for sewer service and water service shall be sent out by the village treasurer on or before the tenth (10<sup>th</sup>) day of the month or quarter succeeding the period for which the service is billed. All sewer and water bills are due and payable by six o'clock (6:00) P.M. on the 30<sup>th</sup> day of the month proceeding the period for which the service is billed. A penalty of ten percent (10%) shall be added to all bills not paid by the thirtieth day after they have been rendered. In addition to any other fines and penalties assessed under this chapter, there shall be a thirty-five dollar (\$35.00) fee for any NSF checks that are received. (Ord. 2007-01-22A, 1-22-2007, eff. retroactive to 1-1-2007; amd. Ord. 2015-10-26(B), 10-26-2015)

**7-1-7: DELINQUENT BILLS; DISCONTINUANCE OF SERVICE; RECONNECTION FEE:** If the charges of such services, either water or sewer, are not paid by the due date, a penalty in the amount of ten percent (10%) of the unpaid balance shall be added and such service may be discontinued without further notice and shall not be reinstated until all claims are settled. In the event that sewer or water service is disconnected, a charge of fifty dollars (\$50.00) will be made for the resumption of service. (Ord. 2010-12-20C, 1-24-2011, eff. Retroactive to 1-1-2011; amd. Ord. 2015-10-26(B), 10-26-2015)

**Restoration of Service:** It shall be the responsibility of any party requesting the restoration of water service to pay all fees, deposits, and delinquent charges attributable to the property for which water service is provided. When the ownership of the property is transferred to a new owner, it shall be the responsibility of the new owner to pay all fees, deposits, and delinquent charges prior to water and sewer service being turned on or otherwise restored to the property. Water service shall not be turned on or otherwise restored to any property until all fees, deposits, and delinquent charges have been paid in full. (Ord. 2010-12-20C, 1-24-2011, eff. Retroactive to 1-1-2011)

**7-1-8: LIEN PROVISIONS:****A. Statement And Notice Of Lien:**

1. Whenever a bill for sewer service or water service remains unpaid for thirty (30) days for quarterly service after it has been rendered, the village treasurer 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, and a notice that the village claims a lien for this amount as well as for all charges subsequent to the period covered by the bill. The amount due on the lien shall be inclusive of the amount for unpaid charges, late fees or interest, penalties, disconnection and/or reconnection fees, and an administrative fee of two hundred fifty dollars (\$250.00).

2. If the user whose bill is unpaid is not the owner of the premises and the village treasurer has notice of this, notice shall be mailed to the owner of the premises, if his or her address be known to the treasurer, whenever such bill remains unpaid for the period of thirty (30) days for a quarterly bill after it has been rendered.

3. The failure of the village treasurer 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 herein. (Ord. 2008-01-28, 1-28-2008, eff. 1-28-2008)

**B. 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 for sewer and water service, after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosure shall be by bill in equity in the name of the village. The village attorney is hereby authorized and directed to institute such proceedings in the name of the village in any court having jurisdiction over such matters against any property for which the bill has remained unpaid sixty (60) days in the case of a quarterly bill after it has been rendered. (Ord. 2007-01-22A, 1-22-2007, eff. retroactive to 1-1-2007)

**7-1-9: DISPOSITION OF REVENUES:****A. Sewerage Revenues:**

1. All revenues and monies derived from the operation of the sewerage system shall be deposited in the sewerage account of the sewerage fund. All such revenues and monies shall be held by the village treasurer separate and apart from his or her private funds and separate and apart from all other funds of the village, and all of said sum, without any deductions whatever, shall be delivered to the village treasurer not more than ten (10) days after receipt of the same, or at such more frequent intervals as may from time to time be directed by the president and board of trustees.

2. The village treasurer shall receive all such revenues from the sewerage system and all other funds and monies incident to the operation of such system as the same may be delivered to him or her and deposit the same in the account of the fund designated as the "sewerage fund of the village". The treasurer shall administer such fund in every respect in the manner provided by statute of the revised cities and villages act, effective January 1942. (Ord. 2007-01-22A, 1-22-2007, eff. retroactive to 1-1-2007)

**B. Waterworks Revenues:**

1. All monies derived from the operation of the waterworks system shall be held by the village treasurer separate and apart from his or her private funds and separate and apart from all other funds of the village, and all of said sums, without any deductions whatsoever, shall be delivered to the village treasurer not more than ten (10) days after the receipt of the same, or at such more frequent intervals as may from time to time be decided by the president and board of trustees. (Ord. 2007-01-22A, 1-22-2007, eff. retroactive to 1-1-2007; amd. 2009 Code)

2. The village treasurer shall receive all such revenues from the waterworks system and all other funds and monies incident to the operation of such system as the same may be delivered to him or her and deposit the same in the account of the fund designated as the "waterworks fund of the village". The treasurer shall administer such fund in every respect in the manner provided by statute of the revised cities

and villages act, effective January 1942. (Ord. 2007-01-22A, 1-22-2007, eff. retroactive to 1-1-2007)

**7-1-10: ACCOUNTS; RECORDS AND REPORTS:**

- A. Accounts And Records: The village treasurer shall establish a proper system of accounts and shall keep proper books, records, and accounts in which complete and correct entries shall be made of all transactions relative to the sewerage system and waterworks system, 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 sewerage and waterworks systems.
- B. Annual Report: In addition to the customary operating statements, the annual audit report shall also reflect the revenues and operating expenses of the wastewater facilities, including a replacement cost, to indicate that sewer service charges under the waste cost recovery system and capital amounts required to be recovered under the industrial 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:
1. Flow data showing total gallons received at the wastewater plant for the current fiscal year.
  2. Billing data to show total number of gallons billed.
  3. Debt service for the next succeeding fiscal year.
  4. Number of users connected to the system.
  5. Number of nonmetered users.
  6. A list of users discharging nondomestic wastes (industrial users) and volume of waste discharged. (Ord. 2007-01-22A, 1-22-2007, eff. retroactive to 1-1-2007)

**7-1-11: NOTICE OF RATES; LIABILITY FOR SERVICE:**

- A. Notice Filed With County: A copy of this chapter, properly certified by the village treasurer, shall be filed in the office of the county recorder of deeds and shall be deemed notice to all owners of real estate of the charges of the sewerage system of the village on their properties and shall be deemed notice to all owners of real estate of the charges for water service of the village for water service on their properties.
- B. Liability For Service: The owner of the premises, the occupant thereof and the user of the service (wastewater or water) shall be jointly and severally liable to pay for the service to such premises, and the service is furnished to the premises by the village only upon the condition that the owner of the premises, occupant and user of the services are jointly and severally liable therefor to the village. (Ord. 2007-01-22A, 1-22-2007, eff. retroactive to 1-1-2007)

**7-1-12: ACCESS TO RECORDS:** The Illinois environmental protection agency or its authorized representative shall have access to any books, documents, papers and records of the village which are applicable to the village system of user charges or industrial cost recovery for the purpose of making audit, examination, excerpts and transcriptions thereof to ensure compliance with the terms of the special and general conditions to any state grant. (Ord. 2007-01-22A, 1-22-2007, eff. retroactive to 1-1-2007)

**7-1-13: PENALTY:** Any person, firm or corporation violating any provisions of this chapter shall be fined not less than fifteen dollars (\$15.00) nor more than seven hundred fifty dollars (\$750.00) for each offense. (Ord. 2007-01-22A, 1-22-2007, eff. retroactive to 1-1-2007; amd. 2009 Code)

## CHAPTER 2

**WATER USE AND SERVICE**

## SECTION:

7-2-1:	Scope
7-2-2:	Supervision
7-2-3:	Authority To Turn On Water; Unauthorized Water Use
7-2-4:	Connections To Water System
7-2-5:	Meters
7-2-6:	Shutoff Box
7-2-7:	Excavations
7-2-8:	Repairs, Tests And Inspections
7-2-9:	Hydrants
7-2-10:	Resale Of Water Prohibited
7-2-11:	Obstruction Of System Prohibited
7-2-12:	Authority To Shut Off Water
7-2-13:	Discontinuance Of Service By Customer
7-2-14:	Violation; Penalty

7-2-1:       **SCOPE:** Every consumer of water (whether owner of premises, tenant, or other consumer) furnished by the village shall be governed by and subject to the rules and regulations of this chapter. (1995 Code ch. 10 § 1.02)

7-2-2:       **SUPERVISION:** The management and supervision of the water supply and the waterworks of the village, and of any and all property pertaining thereto, shall be under the direction and control of the village. (1995 Code ch. 10 § 1.03)

7-2-3:       **AUTHORITY TO TURN ON WATER; UNAUTHORIZED WATER USE:**

- A. No water from the village water supply shall be turned on for service into any premises by any person but the village or some person authorized by him to perform this service. (1995 Code ch. 10 § 1.01)



- B. No person, unless authorized by the village, shall connect, disconnect, remove, repair, or otherwise disturb any water to a service pipe from which the supply has been turned off by the village. (1995 Code ch. 10 § 15.041)

**7-2-4: CONNECTIONS TO WATER SYSTEM:**

- A. Permit And Notice Required: No connection with the water main shall be made without a permit being issued and a twenty four (24) hour notice having been given to the village. All applicants shall pay in advance the fee set out in subsection 7-1-2A1 of this title. (1995 Code ch. 10 § 4; amd. 2009 Code)
- B. Application To Connect:
  - 1. Application to have water turned on shall be made in writing to the village treasurer and shall contain an agreement by the applicant to abide by and accept the provisions of this chapter as conditions governing the use of the village water supply by the applicant. (Ord. 2007-01-22A, 1-22-2007, eff. retroactive to 1-1-2007)
  - 2. No application will be received or accepted for water from tenants, but in all cases where the tenant desires village water, he must procure an application from his landlord, and the landlord, or owner of the property, will be deemed and held responsible for the use of said water. (1995 Code ch. 10 § 13)
- C. Supervision And Inspection Of Work: All such connections shall be made under the supervision of the Village, and no connections shall be covered until the work has been inspected by the Village. (1995 Code ch. 10 § 4)

**7-2-5: METERS:**

- A. Metered Water Required:
  - 1. All water supplied shall be metered to the consumer. (1995 Code ch.

4, art. II § 4)

2. All service pipes through which village water is supplied shall be equipped with water meters approved by the village.

B. Seals:

1. The village may place on each water meter a sufficient and suitable seal in such manner as to prevent tampering with such meter without first breaking the seal. In the event it is found, upon inspection, that a seal has been broken, in addition to all other remedies provided in this chapter or otherwise by law, the village shall have the right to charge the owner for the usage shown for the corresponding time for the previous year. If no record of the previous year exists or is to be had, the village shall estimate or determine, so far as possible, the amount of water consumed during the applicable time period, and the consumer shall pay for the amount so estimated to be due at the established rates. (1995 Code ch. 10 § 9)

2. No person, unless authorized by the village, shall break, remove or in any way tamper with any seal which shall have been placed in or attached to any water meter or any pipe or fixture connected thereto by the water department. (1995 Code ch. 10 § 15.042)

C. Installation Requirements And Restrictions:

1. Time Of Installation: Installation of all new water meters in all newly constructed premises shall be immediately following substantial completion of the building and as determined by the village. The village board reserves the right, however, to supply water to such premises within the village at a flat rate of charge until a meter can be installed.

2. Concealed Connections:

a. The meters shall be so placed that the water used on the premises cannot, before passing through the meter, pass through any stopcock or shutoff placed underground or under any cellar or basement floor, or other concealment, except the corporation cock.

b. No faucet, bib or other opening or connection from which water may be drawn without passing through the meter shall be left or installed

between the corporation cock and meter, except by written permission of the village, whose duty it shall be in such cases to seal such opening or connection so that the seal must be broken in order to take water through such opening or connection.

3. Level Setting: All meters shall be so placed on the service pipe that the inlet and outlet ends of the meter shall be level.

- D. Plumbing: All plumbing and piping necessary to attach water meters to water services shall be furnished and paid for by the person to be supplied with water through such meters.
- E. Maintenance Of Meters: Meters shall be kept in good running order and accurate working condition at the expense of the village. (Ord. 2015-10-26(B), 10-26-2015)
- F. Obstructions Prohibited: All meters shall, after installation, be free of obstruction on and around the same, and so placed and maintained as to at all times be convenient for access for the purpose of reading, inspecting and repairing during working hours.
- G. Theft Of, Damage To Meters: Any water meter owned by the village which, while still in place on the service, is stolen, damaged from the exterior of the meter, or from the passage of hot water through the meter, or from not being properly protected from frost, or by reason of carelessness or improper protection, shall be replaced or repaired by the village at the expense of the owner of the property where such damage was caused. (1995 Code ch. 10 § 9)

7-2-6: **SHUTOFF BOX:** Shutoff boxes or service boxes shall be placed upon every service pipe and shall be located between the curb line and the sidewalk where this is practicable. Such boxes shall be so located that they are easily accessible and shall be protected from the frost. (1995 Code ch. 10 § 5)

7-2-7: **EXCAVATIONS:** Excavation for installing service pipes or repairing the same shall be made in compliance with the ordinance provisions relating to making excavations in the streets as set out in chapter 3 of this title. Provided, that it shall be unlawful to place any service pipe in the same excavation with or directly over any drainpipe or sewer pipe. (1995 Code ch. 10

§ 8)

**7-2-8: REPAIRS, TESTS AND INSPECTIONS:**

- A. Repair Costs: All repairs for service pipes and plumbing systems of buildings shall be made by and at the expense of the owner of the premises served. The village may, in case of an emergency, repair any service pipes, and if this is done, the cost of such repair work shall be repaid to the village by the owner of the premises served.
- B. Entry Powers For Inspections And Tests:
  - 1. Consumers of village water shall at all reasonable hours permit the village or his assistants to enter their premises for the purpose of inspecting the manner in which water is taken.
  - 2. The village and his assistants shall have the right to enter any premises supplied with village water at any reasonable time to inspect meters and connections or pipes or fixtures connected therewith, and if deemed necessary by them, may remove any meter, whether owned by the village or the consumer, for the purpose of testing or repairing the same. The owner or person paying for the water supplied by such meter shall have the right to be present, if desired, at the making of any such test.
- C. Authority To Shut Off Water:
  - 1. In case of making repairs or constructing new works, the village reserves the right to shut off the water at once and keep it shut off as long as may be necessary to accomplish such purpose. (1995 Code ch. 10 § 7)
  - 2. In the event a consumer of water shall fail to permit the village to inspect, test or repair meters, connections, pipes or fixtures connected therewith, the village shall have the right to immediately discontinue water service to the premises served by the village waterworks. Said service shall remain off until any such inspection, test or repair is performed and then shall be restored only upon the payment to the village of a reconnection fee as provided in section 7-1-7 of this title. (1995 Code ch. 10 § 10; amd. 2009 Code)

**7-2-9:           HYDRANTS:**

- A.     Interference With Hydrants: All hydrants installed in the village for the purpose of extinguishing fires are hereby declared to be public hydrants. No person other than employees of the village, or any fire department, or person authorized by the village shall open any hydrants or in any manner interfere with or injure any of the same. (1995 Code ch. 10 § 15.01; amd. 2009 Code)
- B.     Inspections And Maintenance: The village may inspect or cause the water hydrants to be inspected and keep and maintain the same in good and efficient working condition. (1995 Code ch. 10 § 15.02)

**7-2-10:           RESALE OF WATER PROHIBITED:** No water shall be resold or distributed by the recipient thereof from the village supply to any premises other than that for which application has been made and meter installed, except in case of emergency. (1995 Code ch. 10 § 6)

**7-2-11:           OBSTRUCTION OF SYSTEM PROHIBITED:** No person shall obstruct the access to any stopcock, hydrant, or valves connected with any water pipes within any street or other public place by means of any building material or any other article, thing or hindrance. (1995 Code ch. 10 § 15.03)

**7-2-12:           AUTHORITY TO SHUT OFF WATER:** In case of fire or alarm of fire, or in making repairs, or in constructing new works, the village reserves the right to shut off the water and keep it shut off as long as may be necessary. (1995 Code ch. 10 § 16)

**7-2-13:           DISCONTINUANCE OF SERVICE BY CUSTOMER:** Persons desiring to discontinue the use of water must give at least forty-eight (48) hour notice to the village so that an immediate reading of the meter may be taken and a bill prepared for water used to date of disconnection which bill shall be immediately due and payable. In the event of such discontinuation of service, the property owner will continue to receive a bill for minimum water usage. Where the water has been discontinued in pursuance of said notice or for other causes, it will not be turned on again until all water bills due at said time and a reconnection fee have been fully paid. (1995 Code ch. 10 § 11; amd. Ord. 2015-10-26(B), 10-26-2015)

7-2-14:       **VIOLATION; PENALTY:** Any person, firm or corporation violating any provision of this chapter shall be fined as provided in section 1-4-1 of this code for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (1995 Code ch. 10 § 19; amd. Ord. 2001-3, 7-23-2001; 2009 Code)

## CHAPTER 2

### WATER USE AND SERVICE

#### ARTICLE A. CROSS CONNECTION CONTROL

##### SECTION:

- 7-2A-1: Compliance With Existing Laws; Backflow Prevention Device
- 7-2A-2: Approval Of Auxiliary Water Supply Connections
- 7-2A-3: Surveys And Investigations
- 7-2A-4: Inspections
- 7-2A-5: Violations; Discontinuance Of Water Service
- 7-2A-6: Liability For Cleanup Costs

**7-2A-1: COMPLIANCE WITH EXISTING LAWS; BACKFLOW PREVENTION DEVICE:** All plumbing installed within the village shall be installed in accordance with the Illinois plumbing code, 77 Illinois administrative code 890. If, in accordance with the Illinois plumbing code or in the judgment of the superintendent of water, an approved backflow prevention device is necessary for the safety of the public water supply system, the superintendent of water will 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 and all applicable local regulations, and shall have inspections and tests made of such approved devices upon installation and as required by the Illinois plumbing code and local regulations. (Ord., 3-29-2004, eff. 3-30-2004)

**7-2A-2: APPROVAL OF AUXILIARY WATER SUPPLY CONNECTIONS:** No person, firm or corporation shall establish or permit to be established 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 village enters the supply or distribution system of the village, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the superintendent of water

and the Illinois environmental protection agency. (Ord., 3-29-2004, eff. 3-30-2004)

7-2A-3:       **SURVEYS AND INVESTIGATIONS:** It shall be the duty of the superintendent of water 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 superintendent of water shall deem necessary. Records of such surveys shall be maintained and available for review for a period of at least five (5) years. (Ord., 3-29-2004, eff. 3-30-2004)

7-2A-4:       **INSPECTIONS:** 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 village for the purpose of verifying the presence or absence of cross connections, and the water superintendent 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 village 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 superintendent of water 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, with the discretion of the superintendent of water, be deemed evidence of the presence of improper connections as provided in this article. (Ord., 3-29-2004, eff. 3-30-2004)

7-2A-5:       **VIOLATIONS; DISCONTINUANCE OF WATER SERVICE:** The village superintendent of the water is hereby authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this article is known to exist, and to take such other precautionary measures as he may deem necessary to eliminate any danger of 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 article, and until a reconnection fee is paid. Immediate disconnection with



verbal notice can be effected when the superintendent of water 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 party can be effected to prevent actual or anticipated contamination or pollution of the public water supply; provided, that in the reasonable opinion of the superintendent of water or the Illinois environmental protection agency, such action is required to prevent actual or potential contamination or pollution of the public water supply. Neither the public water supply, the superintendent of water, or its agents or assigns, shall be liable to any customer for any injury, damages or lost revenues which may result from termination of said customer's water supply in accordance with the terms of this article, whether or not said termination was with or without notice. (Ord., 3-29-2004, eff. 3-30-2004)

7-2A-6:       **LIABILITY FOR CLEANUP COSTS:** 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 an 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. (Ord., 3-29-2004, eff. 3-30-2004)

## CHAPTER 3

### SEWER USE AND SERVICE<sup>1</sup>

#### SECTION:

- 7-3-1: Use Of Public Sewers Required
- 7-3-2: Private Sewage Disposal Systems
- 7-3-3: Building Sewers And Connections
- 7-3-4: Excavations For Other Utilities
- 7-3-5: Restricted Use Of Public Sewers
- 7-3-5-1: Separate Sanitary And Storm Sewers
- 7-3-5-2: Discharges Into Public System
- 7-3-5-3: Interceptors
- 7-3-5-4: Preliminary Treatment; Flow Equalization
- 7-3-5-5: Control Manhole
- 7-3-5-6: Measurements, Tests And Analyses
- 7-3-5-7: Special Agreements
- 7-3-6: Damage To, Obstruction Of System
- 7-3-7: Powers And Authority Of Inspectors
- 7-3-8: Supervision Of Sewage Works
- 7-3-9: Violation; Penalties

#### 7-3-1: **USE OF PUBLIC SEWERS REQUIRED:**

- A. Discharge Of Human And Animal 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 village or in any area under the jurisdiction of the village, any human or animal excrement, garbage or other objectionable waste. (1995 Code ch. 13, art. I § 1)
- B. Discharges Into Natural Outlets: It shall be unlawful to discharge to any natural outlet within the village, or in any area under the jurisdiction of the village, any sewage or other polluted waters, except where suitable

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1. See section 7-1-1 of this title for applicable definitions.

treatment has been provided in accordance with the provisions of this chapter. (1995 Code ch. 13, art. I § 2)

- C. Private Systems: Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage. (1995 Code ch. 13, art. I § 3)
- D. Connection To Public Sewer Required:
  - 1. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the village and abutting on any street, alley, or right of way in which there is now located or may in the future be located any public sanitary (or combined) sewer of the village is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within ninety (90) days after date of official notice to do so; provided, that said public sewer is within two hundred feet (200') (60 meters) of the property line. (1995 Code ch. 13, art. I § 4)
  - 2. From and after the effective date hereof, no development or real estate within the village or any property to be annexed thereto shall be permitted without requiring that any improvements thereon shall be connected to the public sanitary sewer system. (Ord., 4-26-1999)

**7-3-2: PRIVATE SEWAGE DISPOSAL SYSTEMS:**

- A. Private Systems Permitted: Where a public sanitary (or combined) sewer is not available under the provisions of subsection 7-3-1D of this chapter, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this section. (1995 Code ch. 13, art. II § 1)
- B. Permit Required; Application; Fee: Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the the Village. The application for such permit shall be made on a form furnished by the village which the applicant shall supplement with any plans, specifications and other information as are deemed necessary by the the village. A permit and

inspection fee shall be paid to the village at the time the application is filed. (1995 Code ch. 13, art. II § 2)

- C. Inspection And Approval By Village: A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the village. The village shall be allowed to inspect the work at any stage of construction, and in any event, the applicant for the permit shall notify the village when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within twenty four (24) hours of the receipt of written notice by the village. (1995 Code ch. 13, art. II § 3)
- D. Specifications: The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the state private sewage disposal licensing act and code<sup>2</sup> and with the state environmental protection agency. Private sewage disposal systems must meet the regulations of the county health department. No septic tank or cesspool shall be permitted to discharge to any natural outlet. (1995 Code ch. 13, art. II § 4)
- E. Connection To Public Sewer When Available:
  - 1. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in subsection 7-3-1D of this chapter, a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material. (1995 Code ch. 13, art. II § 5)
  - 2. When a public sewer becomes available, the building sewer shall be connected to said sewer within sixty (60) days, and the private sewage disposal system shall be cleaned of sludge and filled with clean bank run gravel or dirt. (1995 Code ch. 13, art. II § 8)
- F. Operation Of Private System: The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, and at no expense to the village. (1995 Code ch. 13, art. II § 6)
- G. Additional County Requirements: No statement contained in this section

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2. 225 ILCS 225/1 et seq.

shall be construed to interfere with any additional requirements that may be imposed by the county health department. (1995 Code ch. 13, art. II § 7)

- H. Prevention Of Private Wastes Into Public Sewer: The the Village shall have the power to stop and prevent from discharging into the sewer system any private sewer or drain through which substances are discharged which are liable to injure the sewers or obstruct the flow of the sewage.
- I. Use Of Old Private Sewers: Before any old private drain or sewer shall be connected with the sewer system, the owner of the private drain or sewer shall prove to the satisfaction of the the Village that such person has conformed in every respect with these rules and regulations and all ordinances of the village. (1995 Code ch. 11 § 7)

**7-3-3: BUILDING SEWERS AND CONNECTIONS:**

- A. Assessed Property Required Before Connection: It shall be unlawful for any person who is the owner or occupant of any property which has not been assessed for the construction of the sewer with which it is desired to be connected to receive a permit or to tap or connect with such sewer any such unassessed premises, unless the owner or occupant shall first pay to the village clerk, before issuance of such permit, an amount of money to be fixed by the village board as an assessment against said premises. (1995 Code ch. 11 § 2; amd. 2009 Code)
- B. Permit To Connect:
  - 1. Permit Required: No unauthorized person shall tap, uncover, make any connections with, or opening into; use; alter; or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the the village. (1995 Code ch. 11 § 3; ch. 13, art. III § 1)
  - 2. Classes Of Permits; Applications:
    - a. There shall be two (2) classes of building sewer permits: 1) for residential and commercial service; and 2) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form

furnished by the village.

b. The permit application shall be supplemented with any plans, specifications, or other information considered pertinent in the judgment of the village.

3. Fee:

a. Within Village Limits: A permit and inspection fee for a residential or commercial building sewer permit shall be paid to the village at the time the application is filed for properties located within the corporate limits of the village.

b. Outside Village Limits: A permit and inspection fee for a residential or commercial building sewer permit shall be paid to the village at the time the application is filed for properties located outside the corporate limits of the village.

c. Waiver Of Fee: There are certain residential structures within the corporate limits of the village which have no sanitary sewer mains available. Therefore, when sanitary sewer mains are provided for these residential structures, the permit and inspection fee provided herein shall be waived.

4. Conditions Of Permit:

a. The industry, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics, and type of activity. (1995 Code ch. 13, art. III § 3)

b. A building sewer permit will only be issued and a sewer connection shall only be allowed if it can be demonstrated that the downstream sewerage facilities, including sewers, pump stations and wastewater treatment facilities, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load. (1995 Code ch. 13, art. III § 4)

C. Separate Building Sewers Required: A separate and independent building sewer shall be provided for every building; except, that where one building stands at the rear of another on an interior lot and no building 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. (1995 Code ch. 13, art. III § 6; amd. 2009 Code)

D. Use Of Old Building Sewers: Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the village, to meet all requirements of this chapter. (1995 Code ch. 13, art. III § 7)

E. Construction Specifications:

1. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the village. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society of Testing Materials, "Water Pollution Control Federation Manual Of Practice No. 9", and "Standard Specifications For Water And Sewer Main Construction In Illinois" shall apply. (1995 Code ch. 13, art. III § 8)

2. All drains and sewer pipes connected with the public sewer and all fixtures connected therewith shall be so constructed and installed as to be completely watertight to a point at least four feet (4') above the bottom of the inside of the main or lateral sewer to which connection is made and in such manner as to prevent sewage, which may build up in said sewer to a height of four feet (4') above said bottom of said sewer tile at a point of connection, from escaping from the sewer through any opening, joint or loose connection in any such service line or fixture connected therewith; provided, however, that basement floor drains and other basement drains having an intake at less than the required elevation must be installed with an automatic valve to prevent backflow and may include a manually operated shutoff valve by means of which all flow in the service connection can be positively cut off. The risk of sewage escaping through the malfunctioning of any valve so installed or from any connection made or maintained contrary to the provisions of this subsection E2, or from any other cause, shall be on the property owner. (Ord., 4-28-1997)

3. The house sewer trench shall be dug so as to meet the public sewer at

the position of the "Y" branch, as located by the village. The material thrown from the trench shall be placed so as not to obstruct and so as to cause the least inconvenience to the public. Proper barriers and lights must be maintained on the banks of the trench to guard the public against accidents during the progress of the work. In backfilling, the earth shall be carefully rammed or flooded so as to keep the pipe in proper position and avoid settling, and no stone shall be used in filling until there has been a depth of two feet (2') of fine earth or gravel placed over the pipe. (1995 Code ch. 11 § 8)

4. The house drain, from a point three feet (3') outside of the house to the street sewer, shall be of first quality, salt glazed, vitrified earthenware pipe, unless laid less than three feet (3') deep, when it shall be of heavy cast or wrought iron. Its interior diameter shall be four inches (4"). (1995 Code ch. 11 § 9)

5. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by a means which is approved in accordance with subsection H1 of this section, and discharged to the building sewer. (1995 Code ch. 13, art. III § 9)

- F. **Connections To System:** The connection of the building sewer to the public sewer shall conform to the requirements of the building and plumbing codes, or other applicable rules and regulations of the village, or the procedures set forth in appropriate specifications of the American Society of Testing Materials, "Water Pollution Control Federation Manual Of Practice No. 9", and "Standard Specifications For Water And Sewer Main Construction In Illinois". All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the village before installation. (1995 Code ch. 13, art. III § 11)
- G. **Excavations:** All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the village. (1995 Code ch. 13, art. III § 13)
- H. **Discharges Into System:**



1. All disposal by any person into the sewer system is unlawful except those discharges in compliance with federal standards promulgated pursuant to the federal clean water act and more stringent state and local standards. (1995 Code ch. 13, art. III § 2; amd. 2009 Code)

2. No person(s) shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer. (1995 Code ch. 13, art. III § 10)

- I. Inspections: The applicant for the building sewer permit shall notify the the village when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the the Village or his representative. (1995 Code ch. 13, art. III § 12)
- J. Liability For Costs And Expenses: All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the village from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. (1995 Code ch. 13, art. III § 5)

**7-3-4: EXCAVATIONS FOR OTHER UTILITIES:**

- A. Notice Of Excavation: Any person, firm or corporation desiring to lay pipes for water, gas, steam or any purpose in any street or alley upon which sewers are laid shall give at least a twenty four (24) hour notice to the village.
- B. Permit Requirements: It shall be unlawful to make any excavation in or tunnel under any public street, alley, sidewalk or other public place in the village without having first secured a permit therefor. Applications for such permits shall be made to the village clerk and shall specify the intended location and purpose of the excavation.
- C. Bond: No person shall make any such excavation or tunnel without first having secured and furnished the village with a copy of or certificate of a bond or policy conditioned to indemnify and hold the village harmless from any loss, damage or liability resulting from the work done or any acts or omissions in connection therewith.

- D. Restoration Of Excavated Area: Any person making any excavation shall refill the same property and shall restore the surface to its condition before the excavation was made, as soon as possible.
- E. Supervision: All such excavations, refills and resurfacing shall be made subject to the supervision and under the direction of the village. (1995 Code ch. 11 § 6)

**7-3-5: RESTRICTED USE OF PUBLIC SEWERS:**

**7-3-5-1: SEPARATE SANITARY AND STORM SEWERS:** The sanitary sewer system of the village is designed to carry all liquid house wastes, and it shall be unlawful for any person, firm or corporation to hereafter connect or cause to be connected any stormwater sewer with any such sanitary sewer or any part thereof, or to connect any such sanitary sewer with any stormwater sewer or any part thereof, or to lead, conduct or carry, or cause, suffer or permit to be led, conducted or carried, any such stormwater or surface drainage into or through such sanitary sewer or any sanitary sewage into or through any stormwater sewer or to connect or cause to be connected, in whole or in part, any such sanitary sewer or stormwater sewer. (1995 Code ch. 11 § 1)

**7-3-5-2: DISCHARGES INTO PUBLIC SYSTEM:**

- A. Stormwater And Surface Water Runoff; Storm And Combined Sewers:
  - 1. No person shall discharge or cause to be discharged any stormwater, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer. (1995 Code ch. 13, art. IV § 1)
  - 2. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the the Village. Industrial cooling waters or unpolluted process waters may be discharged, on approval of the the Village, to a storm sewer, combined sewer, or natural outlet. (1995 Code ch. 13, art. IV § 2)
- B. Prohibited Discharges Generally: No person shall discharge or cause to be discharged any of the following: (2009 Code)

1. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
  2. Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
  3. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders. (1995 Code ch. 13, art. IV § 2)
- C. Industrial Discharges: No industrial user may discharge sewage into any public sewer until the village has adopted an industrial cost recovery system<sup>3</sup> which:
1. Meets the requirements of section 204(b)(1)(B) of the federal water pollution control act amendments of 1972 and applicable federal regulations; and
  2. Has been approved by the agency in accordance with the conditions of any grant made to the village by the United States environmental protection agency or by the state of Illinois for the construction of any part of the sewer system or sewage treatment works of the village. (1995 Code ch. 13, art. IV § 3)
- D. Private System Effluent; Cellar Overflows: No open gutter, cesspool, or privy vault shall be connected with any sewer or drain. Cellar overflows may be connected with any sewer or drain only when they can be tapped in such a manner that the water seal cannot be destroyed. (1995 Code ch. 11 § 4)
- E. Restricted Discharges:

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3. See section 7-1-4 of this title.

1. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the village that such wastes can harm either the sewers, sewage treatment process or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, or public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the village will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and maximum limits established by regulatory agencies. The substances prohibited are:

- a. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150°F) (65°C).
- b. Any waters or wastes containing toxic or poisonous materials; or oils, whether emulsified or not, in excess of one hundred milligrams per liter (100 mg/l) or containing substances which may solidify or become viscous at temperatures between thirty two (32) and one hundred fifty degrees Fahrenheit (150°F) (0 and 65°C).
- c. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths ( $\frac{3}{4}$ ) horsepower (0.70 hp metric) or greater shall be subject to the review and approval of the village.
- d. Any waters or wastes containing strong acid, iron pickling wastes, or concentrated plating solutions, whether neutralized or not.
- e. Any waters or wastes containing iron, chromium, copper, zinc, or similar objectionable or toxic substances, or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the village for such materials.
- f. Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits

which may be established by the village as necessary after treatment of the composite sewage, to meet the requirements of the state, federal, or other public agencies of jurisdiction for such discharge to the receiving waters.

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

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

i. Any mercury or any of its compounds in excess of 0.0005 milligrams per liter as Hg at any time except as permitted by the village in compliance with applicable state and federal regulations.

j. Any cyanide in excess of 0.025 milligrams per liter at any time except as permitted by the village in compliance with applicable state and federal regulations.

k. Materials which exert or cause:

(1) Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

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

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

(4) Unusual volume of flow or concentrations of wastes constituting "slugs" as defined in section 7-1-1 of this title.

l. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters. (1995 Code ch. 13, art. IV § 4)

2. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in subsection E1 of this section, and/or which are in violation of the standards for pretreatment provided in EPA rules and regulations, chapter I, subchapter D, water programs part 128 - pretreatment standards, federal register volume 38, no. 215, Thursday, November 8, 1973, and any amendments thereto, and which, in the judgment of the village, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the village may:

- a. Reject the wastes;
- b. Require pretreatment to an acceptable condition for discharge to the public sewers;
- c. Require control over the quantities and rates of discharge; and/or
- d. Require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges, under the provisions of section 7-3-5-7 of this section.

3. If the village permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the requirements of all applicable codes, ordinances, and laws. (1995 Code ch. 13, art. IV § 5)

7-3-5-3: **INTERCEPTORS:** Grease, oil, and sand interceptors shall be provided when, in the opinion of the the Village, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except, that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the the Village, and shall be located as to be readily and easily accessible for cleaning and inspection. (1995 Code ch. 13, art. IV § 6)

7-3-5-4: **PRELIMINARY TREATMENT; FLOW EQUALIZATION:** Where preliminary treatment or flow equalizing facilities are provided, they shall

be maintained continuously in satisfactory and effective operation by the owner at his expense. (1995 Code ch. 13, art. IV § 7)

7-3-5-5:       **CONTROL MANHOLE:** Each industry shall be required to install a control manhole, and when required by the the Village, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the the Village. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times. (1995 Code ch. 13, art. IV § 8)

7-3-5-6:       **MEASUREMENTS, TESTS AND ANALYSES:**

- A.     The owner of any property serviced by a building sewer carrying industrial wastes shall provide laboratory measurements, tests, and analyses of waters and wastes to illustrate compliance with this chapter and any special conditions for discharge established by the village or regulatory agencies having jurisdiction over the discharge.
- B.     The number, type, and frequency of laboratory analyses to be performed by the owner shall be as stipulated by the village, but no less than once per year the industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with the federal, state, and local standards are being met. The owner shall report the results of measurements and laboratory analyses to the village at such times and in such manner as prescribed by the village. The owner shall bear the expense of all measurements, analyses, and reporting required by the village. At such times as deemed necessary, the village reserves the right to take measurements and samples for analysis by an outside laboratory service. (1995 Code ch. 13, art. IV § 9)
- C.     All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods For The Examination Of Water And Wastewater", published by the American Public Health Association, and shall be determined at the

control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analysis involved will determine whether a 24 hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24 hour composites of all outfalls, whereas pHs are determined from periodic grab samples.) (1995 Code ch. 13, art. IV § 10)

**7-3-5-7: SPECIAL AGREEMENTS:** No statement contained in this section 7-3-5 shall be construed as preventing any special agreement or arrangement between the village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the village for treatment, subject to payment therefor, in accordance with chapter 1 of this title, by the industrial concern, provided such payments are in accordance with federal and state guidelines for user charge system and industrial cost recovery system. (1995 Code ch. 13, art. IV § 11)

**7-3-6: DAMAGE TO, OBSTRUCTION OF SYSTEM:**

- A. No unauthorized person shall maliciously, wilfully, or negligently break, damage, destroy, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this subsection shall be subject to immediate arrest under charge of disorderly conduct. (1995 Code ch. 13, art. V § 1)
- B. No person, firm or corporation shall injure, break or remove any portion of any manhole, flush tank, catch basin, or any part of the sewer or drainage system, or throw or deposit, or cause to be thrown or deposited in any sewer opening or receptacle connected with the sewer system, any garbage, offal, dead animals, ashes, cinders, rags or any other matter whatsoever, except feces, urine, the necessary water closet paper, liquid house or mill slops by special permits. (1995 Code ch. 11 § 5)



- C. No person shall place or suffer to be placed any bulky substance in any sewer opening, or in the house connections or private drains connecting with any public main or sewer lateral, or any substance having a tendency to obstruct the free flow of said sewers or to damage them in any way. (1995 Code ch. 11 § 11)

**7-3-7: POWERS AND AUTHORITY OF INSPECTORS:**

- A. The village and other duly authorized employees of the village, the Illinois environmental protection agency, and the U.S. environmental protection agency, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this chapter. The village 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 waste treatment. (1995 Code ch. 13, art. VI § 1)
- B. While performing the necessary work on private properties referred to in subsection A of this section, the village or duly authorized employees of the village, the Illinois environmental protection agency and the U.S. environmental protection agency shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the village employees, and the village shall indemnify the company against loss or damage to its property by village employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in section 7-3-5-5 of this chapter. (1995 Code ch. 13, art. VI § 2)
- C. The village and other duly authorized employees of the village bearing proper credentials and identification shall be permitted to enter all private properties through which the village holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved. (1995 Code ch. 13, art. VI § 3)

**7-3-8: SUPERVISION OF SEWAGE WORKS:** The village shall have general supervision over the construction, repair or laying of all sewers or drains, and it shall be unlawful for any person to lay any sewer or drain or to make any connections with the village sewer system unless the quality of material, the character of workmanship, the method of tapping and all other work and material incident thereto shall be fully approved by the Village. (1995 Code ch. 11 § 10)

**7-3-9: VIOLATION; PENALTIES:**

- A. Notice Of Violation; Time For Compliance: Any person found to be violating any provision of this chapter, except section 7-3-6, shall be served by the village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- B. Revocation Of Permit: The village may revoke any permit for sewage disposal as a result of any violation of any provision of this chapter. (1995 Code ch. 13, art. VII § 1)
- C. Penalty: Any person who shall continue any violation beyond the time limit provided in subsection A of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined as provided in section 1-4-1 of this code for each violation. Each day in which any such violation shall continue shall be deemed a separate offense. (1995 Code ch. 13, art. VII § 2; amd. Ord. 2001-3, 7-23-2001; 2009 Code)
- D. Liability For Violations: Any person violating any of the provisions of this chapter shall become liable to the village by reason of such violation. (1995 Code ch. 13, art. VII § 3)

## CHAPTER 4

**GARBAGE AND REFUSE**

## SECTION:

- 7-4-1: Definition
- 7-4-2: Residential Service Provided
- 7-4-3: Fee
- 7-4-4: Placement Of Receptacles For Pick Up
- 7-4-5: Spring Cleanup
- 7-4-6: Prohibited Deposits; Building Refuse
- 7-4-7: Penalty

7-4-1:       **DEFINITION:** "Garbage" shall consist of animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food. "Garbage" shall not include stone, rock, tree limbs or brush, or animal or human excrement. (1995 Code ch. 9 § 2)

7-4-2:       **RESIDENTIAL SERVICE PROVIDED:** All property owners, tenants and residents of the village, except property used by the owner or tenant for manufacturing purposes, mercantile establishments, businesses, stores, hotels and restaurants, shall be entitled to have garbage removed by the village by complying with the provisions of this chapter. (1995 Code ch. 9 § 1)

7-4-3:       **FEE:**

- A.     Fee Established: The fee for garbage removal service shall be fifty-five dollars and eighty-four cents (\$55.84) per quarter or such other fee as from time to time may be established by the Village Board of Trustees. (Ord. 2012-3-26B, 03-26-2012; amd. Ord. 2015-10-26(B), 10-26-2015)
- B.     Rendition Of Bills; Due Date: All rates or charges for garbage removal service shall be payable quarterly depending on the classification of service for which bills are rendered. Bills for garbage removal service shall be sent out by the village treasurer on or before the tenth (10<sup>th</sup>) day of the month or quarter succeeding the period for which the service is billed. All garbage removal service bills are due and payable by six

o'clock (6:00) P.M. on the 30<sup>th</sup> day of the month proceeding the period for which the service is billed. A penalty of ten percent (10%) shall be added to all bills not paid by the thirtieth (30<sup>th</sup>) day after they have been rendered. In addition to any other fines and penalties assessed under this chapter, there shall be a thirty-five dollar (\$35.00) fee for any NSF checks that are received. (Ord. 2015-10-26(B), 10-26-2015)

- C. **Bills For Service:** All property owners, tenants, and residents of the village, including property used by the owner or tenant for manufacturing purposes, mercantile establishments, businesses, stores, hotels, and restaurants, shall be billed at regular intervals by the village treasurer. In addition, property used by the owner or tenant for manufacturing purposes, mercantile establishments, businesses, stores, hotels, and restaurants shall be billed an additional charge by the private scavenger service. Said charge shall be made at a specific rate based on volume.

Business (other than home based businesses) properties may choose to use their own scavenger service and in the event they do choose to do so and provide written proof to the village that they have hired a private scavenger service to provide service to their property, they will not be charged by the village for this service. Businesses desiring to use their own scavenger services must notify the village treasurer not less than thirty (30) days prior to the end of a calendar year that they will not need the village service for the following calendar year. (Ord. 2015-10-26(B), 10-26-2015)

- D. **Reduction, Discontinuance Of Fee:** There shall be no reduction or discontinuance of a fee or charge as a result of temporary discontinuance of the use of the service. Failure to pay the fee for this service may result in a discontinuance of service; however, fees will continue to be charged notwithstanding any such discontinuance. (Ord. 2015-10-26(B), 10-26-2015)

**7-4-4: PLACEMENT OF RECEPTACLES FOR PICK UP:** Garbage shall be placed at the curb, sidewalk, or at the alley on days of pick up, not earlier than the day before pick up, in containers of not more than fifty five (55) gallons. No containers shall remain at the curb, sidewalk, or in the alley on days other than pick up. Garbage should be in either plastic bags which are tied or in tightly covered containers. These restrictions shall also be applicable to recyclable materials and recycling containers. (1995 Code ch. 9 § 3; amd. Ord. 2020-07-27(A), 07-27-2020)

7-4-5:           **SPRING CLEANUP:** Notice of the dates of spring cleanup will be published in a newspaper of general circulation in the village. No article for spring cleanup will be left on the curb or in the alley for more than one week prior to the commencement of spring cleanup. (1995 Code ch. 9 § 5; amd. 2009 Code)

7-4-6:           **PROHIBITED DEPOSITS; BUILDING REFUSE:**

- A.     Prohibited Deposits: No garbage, refuse, grass or leaves shall be deposited in any street, alley or public way, excepting as is provided in this chapter, and no such refuse shall be so placed that it can be blown about or scattered by the wind. (1995 Code ch. 9 § 4)
- B.     Removal Of Building Refuse: Refuse, stone, wood, rock, and metal resulting from building, remodeling and construction must be removed from any curb, alley or right of way within three (3) days. It shall be the duty of the owner to see that all such refuse is removed. (1995 Code ch. 9 § 6)

7-4-7:           **PENALTY:** Any person, firm or corporation violating any of the provisions of this chapter shall be fined as provided in section 1-4-1 of this code for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (1995 Code ch. 9 § 7; amd. Ord. 2001-3, 7-23-2001; 2009 Code)