

TITLE 13: WATER AND SEWER¹

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CHAPTER 13.04: GENERAL PROVISIONS

Section

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§ 13.04.010 SUPERVISION OF WATERWORKS AND SEWERAGE SYSTEM; CITY CLERK.

The full and complete supervision, operation, care maintenance and management of the combined waterworks and sewerage system of the city is placed under the jurisdiction of the Superintendent of Sewers and Potable Water.

('78 Code, § 13.04.010) (Ord. 109, passed - -63; Am. Ord. 962, passed 9-18-95)

§ 13.04.020 SERVICE CONTRACTS.

The Superintendent of Sewers and Potable Water is authorized to obtain and enter into in behalf of the city any and all contracts and agreements for furnishing sewer and water service to individual customers, consistent with the rates for such service heretofore established by ordinance or resolution of the City Council. The form of such contracts and agreements for furnishing sewer and water service to individual customers shall be approved by the City Attorney.

('78 Code, § 13.04.020) (Ord. 109, passed - -63; Am. Ord. 962, passed 9-18-95)

§ 13.04.030 COMBINED WATERWORKS AND SEWERAGE SYSTEM.

The existing waterworks system in its entirety, together with all additions, improvements and extensions thereto that may hereafter be made, and the existing sewerage system in its entirety, together with all additions, improvements and extensions thereto that may hereafter be made, are declared to be a combined system.

('78 Code, § 13.04.030) (Ord. 109, passed - -63)

§ 13.04.040 MAINTENANCE, OPERATION AND RATES; DEPRECIATION FUND.

The existing waterworks and sewerage systems of the city, combined pursuant to the provisions of § 13.04.030, shall be maintained and operated as a single utility, and charges or rates shall be established for the use of such combined system. Such charges or rates shall be reasonable and commensurate with the service performed by such combined system, and sufficient to maintain, operate and provide an adequate depreciation fund, and pay the principal of and interest on any revenue lands which may be issued, which bonds by their terms are made payable from the revenues of such combined system.

('78 Code, § 13.04.040) (Ord. 109, passed - -63)

§ 13.04.041 CARE, UPKEEP AND REPAIR OF SEWER AND WATER LINES.

(A) The city shall perform the care, upkeep, maintenance and repair on water service lines only between the water main and to and including the buffalo box. The owner of the premises shall be responsible for the care, upkeep, maintenance and repair of the balance of the water service lines. The property owner shall be responsible for all repairs of whatever nature from the buffalo box into and including their premises. All water service laterals from any city water main that may be abandoned or deemed impractical for further use or where a new lateral is being substituted serving the property of owner of the premises shall be dug up and disconnected from the main, at the main, and paving restored at the expense of the party abandoning the old service. This section shall not require the digging up of the entire lateral, but only the location where the lateral connects to the main, to allow the valve to be closed. This procedure shall be followed where laterals are abandoned after buildings are demolished and also where a new lateral, if installed, follows the course of the old, or where a new lateral, if installed, follows an entirely different course. It is the intent of this section that no abandoned laterals are to be left connected to the main.

(B) Any expense incurred by the city in care, upkeep, maintenance and repair of a water service line shall be charged against the owner of the property whose water service line was maintained and shall constitute a lien in the amount of the aforesaid expenses on the premises.

(C) The owner of the premises shall perform the care, upkeep, maintenance and repair of whatever nature on the sewer service lines from the sewer main into and including their premises. All sewer service laterals from any city sewer main that may be abandoned or deemed impractical for further use or where a new lateral is being substituted serving the property or owner of the premises shall be dug up and disconnected from the main, at the main, and paving restored at expense of the party abandoning the old service. This section shall not require the digging up of the entire lateral, but only the location where the lateral connects to the main, to allow the service connection to be plugged. This procedure shall be followed where laterals are abandoned after buildings are demolished and also where a new lateral, if installed, follows the course of the old or where a new lateral, if installed, follows an entirely different course. It is the intent of this section that no abandoned sewer service laterals are to be left connected to the main.

(D) Any expense incurred by the city in care, upkeep, maintenance and repair to a sewer service lateral shall be charged against the owner of the property whose sewer service line was maintained and shall constitute a lien in the amount of the aforesaid expenses on the premises.
(‘78 Code, § 13.04.041) (Ord. 432, passed - -77)

§ 13.04.050 RESTRICTIONS ON EXISTING UTILITY COMPANIES.

(A) No corporation, company, association, joint stock company or association, firm, partnership or individual, and lessees, trustees or receivers appointed by any court whatsoever that may be or shall hereafter own, control, operate or manage, directly or indirectly, for public use, any plant, equipment or property used or to be used for or in connection with the production, storage, transmission, sale, delivery or furnishing of heat, coal, light, power, electricity, water or the disposal of sewage shall extend or otherwise amplify its plant or other facility for such purposes without the permission of the City Council.

(B) No provision of this section shall be construed to prohibit the licensing and franchising to authorize engaging in the business of production, storage, transmission, sale, delivery or furnishing of heat, coal, light, power, electricity, water or the disposal of sewage of existing businesses.
(‘78 Code, § 13.04.050) (Ord. 42, passed - -61)

§ 13.04.060 TAPPING ON TO WATER AND SEWER FACILITIES; REQUIRED; RESTRICTIONS.

(A) All owners of new construction shall be required to tap on and pay all fees prescribed by the city for the tap-on service of sewer and water of the city wherever sewer and water service is located within a reasonable distance of such new construction, and such tap-on shall be made and fees shall be paid prior to any occupancy in the new structure coming within the gamut of this section.

(B) Any person in violation of this section by refusing, neglecting or failing to pay the required tap-on fee or by occupying the new structure prior to tap-on, will pay a fine of \$50. This section shall be construed that every day shall be considered a separate violation, and the fine shall apply for each and every day of the violation.

(C) Connections to the municipal sewage treatment facilities shall be limited to one connection per subdivided lot, including lots heretofore and hereafter subdivided. Such connection shall be predicated upon one kitchen unit per lot.

(D) The Director of Public Works or his/her designee of the city is directed and ordered not to issue any building permits for the construction of buildings where the buildings contain more than one unit. This division shall not apply where the City Council has allowed the erection of a planned unit development.

('78 Code, § 13.04.060) (Ord. 115, passed - -64; Am. Ord. 301, passed - -72; Am. Ord. 824, passed - -91; Am. Ord. 1637, passed 8-5-13)

§ 13.04.065 SIZE OF WATER LINE CONNECTIONS TO NEW STRUCTURES.

For any new structure, the erection of which is accomplished pursuant to a building permit issued on or after October 1, 1990, the diameter of the water line from its point of connection with the city water main to its entry into the structure must be not less than one inch. This requirement shall not be imposed upon the size of water lines within the enclosure of the structure itself, once the line has been attached to the water meter servicing the structure. However, if the structure is being serviced by an existing buffalo box and water main which provides for service of less than one inch, the service to the new structure shall be not less than the size opening provided by the buffalo box.

('78 Code, § 13.04.070) (Ord. 773, passed - -90; Am. Ord. 809, passed - -91)

§ 13.04.070 PERMIT FOR CONNECTION REQUIRED.

It is unlawful for any person to connect to any sewer and water main owned by or operated by the city without first obtaining a permit therefor.

('78 Code, § 13.04.070) (Ord. 164, passed - -66)

§ 13.04.080 REVOCATION OF CONNECTION PERMIT.

It is unlawful for any person to continue to remain connected to a sewer and water main owned by the city after having been notified in writing by certified mail, return receipt requested, that the permit to connect as aforesaid has been revoked.

('78 Code, § 13.04.080) (Ord. 164, passed - -66)

§ 13.04.090 TEMPORARY CONNECTION; PERMIT.

Permits for temporary connection may be obtained by making requests therefor with the City Clerk, which application for temporary permit shall state the location of the property, either by street address or by reference to a lot in a recorded subdivision, stating in the application the reason for the desired connection and the duration of the intended connection.

('78 Code, § 13.04.090) (Ord. 164, passed - -66)

§ 13.04.100 TEMPORARY CONNECTION; SUPERVISION REQUIRED.

It is unlawful for any temporary connection to be made to a sewer and water main owned by the city unless done in the presence of the Superintendent of the Municipal Waterworks or his designee. It

shall be the duty of the Superintendent of the Municipal Waterworks to make certain that any use of the municipal sewer and water mains will be paid for by persons making use thereof. ('78 Code, § 13.04.100) (Ord. 165, passed - -66; Am. Ord. 962, passed 9-18-95)

§ 13.04.105 EXTENSION OF SEWER OR WATER STUBS.

Whenever a sewer or water line is located on the opposite side of a street adjacent to a vacant lot in such fashion that an owner building a structure on the lot would need to dig a trench in the street in order to connect to the sewer or water line, the Public Works Superintendent (Superintendent of Streets), or a general contractor, pursuant to direction of the City Council, shall extend a stub for the sewer or water line, as the case may be, to a point at the lot line. The Superintendent or general contractor shall keep accurate records of the total cost of extension of the sewer or water stub, and shall inform the Clerk of the City Water Department of the total cost attributable to the vacant lot to be serviced by the stub or stubs. The Water Department Clerk shall take the steps to secure repayment specified in § 13.04.115. ('78 Code, § 13.04.105) (Ord. 824, passed - -91; Am. Ord. 962, passed 9-18-95)

§ 13.04.110 EQUITABLE CONNECTION CHARGES.

Any person, firm, corporation, association, club, partnership or any other organization, prior to making any connection with the municipal water and sewer system of the city and prior to the issuance of any building permits from the city, upon proper application to the Public Works Department shall pay to the city an equitable connection charge as follows:

(A) Population Equivalent (PE) Method:

(1) Population equivalent calculation:

(a) Each applicant for such tap-on or connection shall submit to the city a calculation prepared by a professional engineer licensed by the State of Illinois setting forth the anticipated sanitary sewer and water usage requirements of the building, structure, use or customer proposed to be tapped on or connected to the city's sanitary sewer or water system, expressed as a number of population equivalents.

1. The PE calculation shall be submitted in terms of potable water and sanitary sewer. Each shall be calculated and submitted, but the greater of the two shall be used.

2. The domestic sanitary sewer usage component of this calculation shall be made with reference to the table of commonly used sewage flows set forth at 35 Ill. Adm. Code 370 Appendix B, Table 2, and supplemented with such additional information as the city may reasonably require to determine the industrial and non-domestic sewage flows anticipated to be generated by the building, structure, use or customer in question, and to the maximum occupancy of the building or structure in question under applicable city ordinances.

3. For connections to the water system, the population equivalent calculation for anticipated water usage may be set equal to the number of population equivalents calculated for sanitary sewer usage pursuant to above (for commercial or industrial buildings, structures, uses or customers that do not involve any use of process water or the generation of non-domestic commercial or industrial sewage flows). Otherwise, the calculation shall reflect that number of population equivalents of water usage equal to the population equivalents of anticipated sanitary sewer usage determined pursuant to above, supplemented with such additional information as the city may reasonably require to determine the non-domestic water usage and process water usage anticipated to be generated by the building, structure, use or customer in question.

(2) *Costs.* The cost for population equivalent will be set by City Council. The tap on fee will be calculated using the PE provided to the Public Works Department and then multiplying that by \$3,274.31.

(a) Example:

1. Population Equivalent - 5
2. $5 * \$3,274.31 = \$16,371.55$

(3) *Minimums.*

- (a) Residential properties shall not have a minimum PE of less than 3.5.
- (b) Commercial and industrial properties shall not have a minimum PE of less than 8.5.

(4) *Yearly increase.*

(a) The central service fees/equitable connection charges as set forth in divisions above shall be increased 5% annually on the first of each year.

(5) *Special provision.*

(a) All connections must be made within one year of the date that the fee was paid. After one year the difference between the current year's fee and the original fee must be paid. Proof of original payment must be provided to the city to determine applicable fees. If proof of payment cannot be provided, current year's rate must be paid in full.

(B) *Application of charges.* An applicant shall pay the appropriate charge as provided above prior to making any connection to water and sewer combined, or just water, or just sewer. Should application be made for the latter two, then no additional charge shall be made for further connection of the same unit.

(C) *Payment made.* All payments provided for herein shall be made prior to making any connection and no permit shall be issued without the payment of the charge as provided for herein.

(D) *Use of charges.* All connection charges obtained by the city from the terms and provisions of this section shall be used for the maintenance, repair or replacement of the city's sewage collection and treatment facilities and city's water production and distribution facilities and the construction of new such facilities.

(E) *Administration.* The city Public Works Department shall in all instances assess the appropriate connection charge. Provided, however, that the City Council shall retain jurisdiction with respect to commercial and industrial connection charges to adjust, where necessary, the amount of the charges upon application to the Council where imposition of the computed charges are unfair to the applicant.

('78 Code, 13.04.110) (Ord. 692, passed - -88; Am. Ord. 962, passed 9-18-95; Am. Ord. 952, passed 5-1-95; Am. Ord. 1039, passed 10-6-97; Am. Ord. 1112, passed 11-15-99; Am. Ord. 1268, passed 10-21-02; Am. Ord. 1815, passed 7-1-19)

§ 13.04.111 EQUITABLE CHARGES FOR USE EXPANSION; P.E. DETERMINATIONS FOR TAP-ON FEE CALCULATIONS.

(A) *Sanitary sewer and/or water system connections.* Prior to tapping on or connecting any commercial or industrial building, structure, use or customer to the city's sanitary sewer or water system, the applicant for such tap-on or connection shall submit to the city a calculation prepared by a professional engineer licensed by the State of Illinois setting forth the anticipated sanitary sewer and water usage requirements of the building, structure, use or customer proposed to be tapped on or connected to the city's sanitary sewer or water system, expressed as a number of population equivalents.

(1) The domestic sanitary sewer usage component of this calculation shall be made with reference to the table of commonly used sewage flows set forth at 35 Ill. Adm. Code 370 Appendix B, Table 2, and supplemented with such additional information as the city may reasonably require to determine the industrial and non-domestic sewage flows anticipated to be generated by the building, structure, use or customer in question, and to the maximum occupancy of the building or structure in question under applicable city ordinances.

(2) For connections to the water system the population equivalent calculation for anticipated water usage may be set equal to the number of population equivalents calculated for sanitary sewer usage pursuant to above (for commercial or industrial buildings, structures, uses or customers that do not involve any use of process water or the generation of nondomestic commercial or industrial sewage flows). Otherwise, the calculation shall reflect that number of population equivalents of water usage equal to the population equivalents of anticipated sanitary sewer usage determined pursuant to above, supplemented with such additional information as the city may reasonably require to determine the nondomestic water usage and process water usage anticipated to be generated by the building, structure, use or customer in question.

(B) *Sewer and water usage reviews.*

(1) The city reserves the right to periodically review actual water and sewage system usage by any commercial or industrial building, structure, use or customer connected to the city's water and sanitary sewer system as reflected by the water and sewer billings to the building, structure, use or customer in question during the 12 month period prior to the conduct of the review. In the event that the actual water and sewage system usage reflected by the billings to the account exceeds the anticipated usage disclosed by the calculations in division (A), the City shall have the right to impose additional water and sanitary sewer tap-on fees in an amount based on the number of population equivalents by which the actual system usage exceeds the anticipated usage disclosed at the time of application for a tap-on or connection to the city water and sanitary sewer system.

(2) Subject to division (C) below, the city likewise reserves the right to conduct such reviews in connection with the submission of any application to the city for any permit, approval, review or other action involving or relating to any change in the use, expansion of the same or similar use, occupancy, development, construction or ownership of any commercial or industrial building or structure and to

impose additional water and sanitary sewer tap-on fees as set forth above where such reviews demonstrate that the proposed change in the use, expansion of the same or similar use, occupancy, development, construction or ownership of any commercial or industrial building or structure increase water and sewer system usage in the future over the usage demonstrated by water and sewer billings during the prior 12-month period. In connection with a review initiated in connection with the submission of an application to the city for any permit, approval, review or other action involving or relating to any change in the use, expansion of the same or similar use, occupancy, development, construction or ownership of any commercial or industrial building or structure, the applicant shall provide the city with the calculations in division (A) above, prepared to reflect water and sewer usage after the proposed change in the use, occupancy, development, construction or ownership of any commercial or industrial building or structure.

(3) In the case that any commercial or industrial building/structure that is connected to the water and sanitary sewer system increases their flow by 20% from the previous years 12-month monthly average as described in paragraphs (1) and (2) contained in this division, the city reserves the right to perform a review as outlined earlier in this division and impose additional tap on fees. There will be no adjustment to tap-on fees or refund in the event the sewer and/or water usage decreases.

(C) *Demolition and new construction.* In the case of the demolition of any building or structure connected to the city water and sanitary sewer system and the replacement thereof with a new building, structure or use, the applicant for the demolition permit and building permit for any new proposed building, structure or use shall submit all necessary information to the city to permit the conduct of the review contemplated division (B) above, and the applicant shall have the responsibility to demonstrate the sewer and water usage of the building or structure being demolished during the last 12 months of its occupancy prior to demolition, and to pay any additional tap-on fees calculated pursuant to division (F) below, provided, however, that if the building or structure in question has remained vacant, unused and unoccupied for the five year period preceding the submission of the application for a demolition permit, the applicant shall instead submit the calculations contemplated by division (A) above of this section as in the case of new construction and the initial tap-on or connection to the city water and sanitary sewer system.

(D) *Costs.* The cost for population equivalent will be set by City Council. The current rates at adoption will be subject to the 5% increase as described in Division (E) of § 13.04.110: water and sewer: \$3,118.40/P.E.
(Ord. 1795, passed 12-17-18)

§ 13.04.115 EQUITABLE CONNECTION SURCHARGE FOR EXTENSION OF SEWER OR WATER STUBS.

Where, pursuant to § 13.04.105, the city has extended a sewer or water stub to the lot line of a lot and the owner has not yet reimbursed the city for the expense of the extension, all records of the expense shall be provided to the City Water Clerk or his designee (including but not limited to the clerk assigned to receive payments of equitable service connection charges under § 13.04.110). The City Water Clerk or the Clerk shall keep a record of the expense applicable to the particular lot serviced by the stub extension. The City Water Clerk or the Clerk, when assessing the equitable connection charge for the lot, shall also assess an equitable connection surcharge. This surcharge shall consist of the total expense of extending the sewer or water stub or both, plus simple interest at the rate of 5% per year from the date

the expense is incurred, but only for extensions completed after September 8, 2020. The city shall use its best efforts to notify the owner of the lot in writing that a stub was extended in order to give the owner the opportunity to pay the connection surcharge without interest by the end of the calendar year in which the project is completed. The City Water Clerk or the Clerk shall also collect an administration fee of \$25 at the time the surcharge is imposed.

('78 Code, 13.04.115) (Ord. 824, passed - -91; Am. Ord. 962, passed 9-18-95; Am. Ord. 1846, passed 9-8-20)

§ 13.04.120 SERVICE CHARGE FOR TURN-OFF, TURN-ON OR REPAIR.

Whenever any person requests that the city turn off or turn on any water service to any residential, commercial or industrial user, a \$30 service charge for each and every action taken by the city shall be imposed upon the person making the request.

('78 Code, 13.04.110) (Ord. 572, passed - -82; Am. Ord. 962, passed 9-18-95)

CHAPTER 13.06: LIMITATIONS ON USE OF SPRINKLING DEVICES

Section

- 13.06.010 Purpose
- 13.06.020 Definitions
- 13.06.030 Limitations on use of sprinkling devices
- 13.06.040 Violation; penalty

§ 13.06.010 PURPOSE.

The purpose of this chapter is to protect the health, welfare and safety of the citizens of the city; to provide restrictions on the use of water during warmer months to ensure availability of water for consumption and adequate pressure for fire protection.
(Ord. 1612, passed 11-5-12)

§ 13.06.020 DEFINITIONS.

For purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

SPRINKLING DEVICES. Includes, but is not limited to, such devices as hoses, portable sprinklers and permanently installed sprinkler systems that are used for sprinkling or watering. **SPRINKLING DEVICES** shall not include those sprinkling devices used in commercial car wash businesses or sprinkling devices used for purposes of fire protection.

SPRINKLING or WATERING. Means the use of a sprinkling device for such purposes as watering lawns or other plants and vegetation or washing cars, windows or sidewalks.

WATER EMERGENCY. The Mayor may, at his discretion, declare the city to be in a state of limited water emergency whenever it reasonably appears that the city's water supply is being used at a rate that is likely to overtax the water supply or the water supply is in danger of depletion to the point where the city can no longer supply water for the needs of its citizens, businesses and lawful corporate purposes.
(Ord. 1612, passed 11-5-12)

§ 13.06.030 LIMITATIONS ON USE OF SPRINKLING DEVICES.

(A) Sprinkling or watering shall be restricted annually from May 10 through September 10 as follows:

(1) Watering or sprinkling shall be permitted by residents whose street address ends in an odd number on odd numbered days only;

(2) Watering or sprinkling shall be permitted by residents whose street address ends in an even number on even numbered days only.

(B) This restriction shall be in effect until modified by action of the corporate authorities.

(C) Should a water emergency be declared, as defined herein, this section shall be inapplicable for the duration of the declared emergency. During said emergency, sprinkling or watering shall be prohibited.

(Ord. 1612, passed 11-5-12)

§ 13.06.040 VIOLATION; PENALTY.

Any person, firm or corporation that violates any of the provisions of this chapter shall be fined not less than \$50 nor more than \$750 for each offense.

(Ord. 1612, passed 11-5-12)

CHAPTER 13.08: SEWER CONNECTIONS

Section

13.08.010	Definitions
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13.08.012	Private sewage disposal
13.08.013	Building sewers and connections
13.08.014	Use of public sewers
13.08.015	Protection of sewage works from damage
13.08.016	Powers and authorities of inspectors
13.08.017	Definitions and construction of language
13.08.018	Violation; penalty
13.08.020	Connection of sanitary sewer system to storm sewer system or drainageway
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13.08.050	Mandatory sewer connection
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13.08.070	Location for connection; exception
13.08.080	Right of inspection
13.08.090	Penalty for failure to comply with §§ 13.08.020 through 13.08.080

§ 13.08.010 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BUILDING OR HOUSE SEWER. That part of the horizontal pipe which begins outside of the wall of a building and connects a house drain with the main public sewer.

DOWNSPOUT. Any type of pipe or tube installed for draining off rainwater which collects or accumulates on any building or structure.

DRAINAGE SYSTEM. The system of curbs, roadways, drainageways, storm sewers, and their appurtenances utilized for the collection, transportation, storage, detention and release of stormwater.

DRAINAGEWAY. Above-ground watercourses, swales, detention basins and/or their environs which are identified by the presence of one or more of the following:

- (1) All areas within the floodplain of a perennial stream.
- (2) All areas within 25 feet of the ordinary high water mark of an intermittent stream or within a drainage or detention easement, as shown on a plat of subdivision.

SANITARY SEWER. Any tile, pipe or tube installed for the purpose of draining off raw sewage, waste or contaminated waters.

STORM SEWER. Any tile, pipe or tube installed on any type of structure or building for the purpose of channelling or draining off rainwater which collects or accumulates on any such building or structure. ('78 Code, 13.08.010) (Ord. 53, passed - -61; Am. Ord. 196, passed - -63; Am. Ord. 1359, passed 6-6-05)

§ 13.08.011 USE OF PUBLIC SEWERS REQUIRED.

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

(B) It is unlawful to discharge any natural outlet within the city, or in any area under the jurisdiction of the city, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this code.

(C) Except as hereinafter provided, it is unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for disposal of sewage.

(D) The owner of all the houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the city 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 city, is required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper sewer in accordance with the provisions of this code, within 90 days after date of official notice to do so, provided that the public sewer is within the next abutting property. ('78 Code, 13.08.011) (Ord. 694, passed - -88; Am. Ord. 1359, passed 6-6-05)

§ 13.08.012 PRIVATE SEWAGE DISPOSAL.

(A) Where a public sanitary (or combined) sewer is not available under the provisions of § 13.08.011(D) the building sewer shall be connected to a private sewage disposal system complying with the provisions of this code.

(B) Before commencement of construction of a private disposal system the owner shall first obtain a written permit signed by the County Health Department. The application for such permit shall be made on a form furnished by the County Health Department which the applicant shall supplement by any plans, specifications and other information as deemed necessary by the Health Department.

(C) A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the County Health Department.

(D) The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the State of Illinois Private Sewage Disposal Licensing Act and Code and with the State of Illinois Environmental Protection Agency, and requirements of the County Health Department. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

(E) At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in § 13.08.011(D), a direct connection shall be made to the public sewer in compliance with the ordinance codified in this section, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

(F) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, and at no expense to the city.

(G) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the County Health Department.

(H) When a public sewer becomes available, the building sewer shall be connected to the sewer within 60 days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

('78 Code, 13.08.012) (Ord. 694, passed - -88; Am. Ord. 1359, passed 6-6-05)

§ 13.08.013 BUILDING SEWERS AND CONNECTIONS.

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

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

(C) All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(D) 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 back-filling the trench, shall all conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the city. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society of Testing Materials, Water Pollution Control Federation Manual of Practice No. 9, and Standard Specifications for Water and Sewer Main Construction in Illinois shall apply.

(E) 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 division (B) of this section, and discharged to the building sewer.

(F) The connection of the building sewer into the public sewer shall conform to the requirements of the Building and Plumbing Code, or other applicable rules and regulations of the city 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 city before installation.

(G) The applicant for the building sewer permit shall notify the city when the building sewer is ready for inspection and connection to the public sewer. The connection shall be to the public sewer. The connection shall be made under the supervision of the city.

(H) Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city.

(I) A separate and independent building sewer shall be provided for every building, except that where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

(J) Old building sewers may be used in connection with new buildings only when they are found, on examination and tests by the city engineer, to meet all requirements of this chapter.

(K) No person(s) shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

(L) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard.

('78 Code, 13.08.013) (Ord. 694, passed - -88; Am. Ord. 759, passed - -90; Am. Ord. 1359, passed 6-6-05)

§ 13.08.014 USE OF PUBLIC SEWERS.

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

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

(C) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(1) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas;

(2) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of a sewage treatment plant;

(3) Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works;

(4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, and the like, either whole or ground by garbage grinders.

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

(1) Any liquid or vapor having a temperature higher than 150°F. (65°C.);

(2) Any waters or wastes containing toxic or poisonous materials; or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32°F. and 150°F. (0°C. and 65°C.);

(3) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths horsepower (0.76 hg metric) or greater shall be subject to the review and approval of the city.

(4) Any waters or wastes containing strong acid, iron pickling wastes, or concentrated plating solution whether neutralized or not;

(5) Any waters or wastes containing iron, chromium, copper, zinc, or similar objectionable 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 exceed the limits established by the city for such materials;

(6) Any waters or wastes containing phenols or other waste or odor producing substances, in such concentrations exceeding limits which may be established by the city as necessary after treatment of the composite sewage to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters;

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

(8) Any wastes or waters having a pH in excess of 9.5;

(9) Any mercury or any of its compounds in excess of .0005 mg/l as Hg at any time except as permitted by the city in compliance with applicable state and federal regulations;

(10) Any cyanide in excess of 2.0 mg/l at any time except as permitted by the city in compliance with state and federal regulations;

(11) Materials which exert or cause:

(a) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate);

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

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

(d) Unusual volume of flow or concentrations of wastes constituting "slugs" as defined herein;

(12) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of agencies having jurisdiction over discharge of the receiving waters.

(E) (1) If any water or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or process the characteristics enumerated in divisions (C) and (D) of this section, and/or which are in violation of the standards for pretreatment provided in 40 CFR 403, June 26, 1978 and any amendments thereto, and which in the judgment of the city may have deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create hazard to life or constitute a public nuisance, the city 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 § 13.08.013.

(2) If the city permits the pretreatment of the equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the city, and subject to the requirements of all applicable codes, ordinances and laws.

(F) Grease, oil and sand interceptors shall be provided when, in the opinion of the city, 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 city, and shall be located as to be readily and easily accessible for cleaning and inspection.

(G) Where preliminary treatment or flow-equalizing facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

(H) Each industry shall be required to install a control manhole and, when required by the city, 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 city. The manhole shall be installed by owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

(I) (1) The owners 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 the ordinance codified in this section and any special conditions for discharge established by the city or regulatory agencies having jurisdiction over the discharge.

(2) The number, type and frequency of laboratory analyses to be performed by the owner shall be stipulated by the city, 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 city at such times and in such manner as prescribed by the city. The owner shall bear the expense of all measurements, analyses and reporting required by the city. At such times as deemed necessary by the city reserves the right to take measurements and samples for analysis by an outside laboratory service.

(J) All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of IEPA Division of Laboratories Manual of Laboratory Methods, and shall be determined at the control manhole provided, or upon suitable samples taken at the control manhole. In the event that no special manhole has been required the control manhole shall be considered to be the nearest manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. The particular analyses involved will determine whether a 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 pH's are determined from periodic grab samples. ('78 Code, 13.08.014)

(K) No person shall discharge, place, cause to be discharged, or cause to be placed into any drainage system or component thereof any substances, materials, waters, or wastes if it appears likely in the opinion of the city that such wastes can have an adverse effect on the receiving stream; have an adverse effect on the function of the drainage system; or can otherwise endanger life, limb, public property or constitute a nuisance. In forming its opinion, the city will give consideration to such factors as the quantities of subject material, regulations established by regulatory agencies, and nature of the material. Such material includes, but is not limited to the following:

- (1) Landscaping material such as grass clippings, leaves and branches.
- (2) Trash, refuse or garbage.
- (3) Abandoned items (e.g. lawnmowers, bicycles, lawn furniture, tires).
- (4) Oil, grease, coolant or other similar material.
- (5) Soaps, detergents, or other such material which may cause foaming of stormwater.
- (6) Sewage.

(7) Any impediments to flow.

(Ord. 694, passed - -88; Am. Ord. 759, passed - -90; Am. Ord. 1359, passed 6-6-05)

§ 13.08.015 PROTECTION OF SEWAGE WORKS FROM DAMAGE.

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 provision shall be subject to immediate arrest under charge of disorderly conduct.

('78 Code, 13.08.015) (Ord. 694, passed - - 88; Am. Ord. 1359, passed 6-6-05)

§ 13.08.016 POWERS AND AUTHORITIES OF INSPECTORS.

(A) (1) The city and other duly authorized employees of the city, the Illinois Environmental Protection Agency, and the U.S. Environmental Protection Agency, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this chapter.

(2) The city or its representative shall have no authority to inquire into any processes, including metallurgical, chemical, oil refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterway or facilities for waste treatment.

(B) While performing the necessary work on private properties referred to in § 13.08.016(A), the city or duly authorized employees of the city, the Illinois Environmental Protection Agency, and the U.S. Environmental Protection Agency shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the city employees and the city shall indemnify the company against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operating, except as such may be caused by negligence of failure of the company to maintain conditions as required in § 13.08.014(I).

(C) The city and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter private properties through which the city 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 the easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved. ('78 Code, 13.08.016) (Ord. 694, passed - -88; Am. Ord. 1359, passed 6-6-05)

§ 13.08.017 DEFINITIONS AND CONSTRUCTION OF LANGUAGE.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

FEDERAL GOVERNMENT.

(1) ***ADMINISTRATOR.*** The Administrator of the U.S. Environmental Protection Agency.

(2) ***FEDERAL ACT.*** The Federal Clean Water Act (33 U.S.C. 466 et seq.) as amended, (Pub. L. 95-217).

(3) ***FEDERAL GRANT.*** The U.S. government participation in the financing of the construction of treatment works as provided for by Title II, Grants for Construction of Treatment Works, of the Act and implementing regulations.

LOCAL GOVERNMENT.

- (1) **APPROVING AUTHORITY.** The Superintendent of the Department of Public Works or the Superintendent of the City Sewage Treatment Plants.
- (2) **CITY.** The city of Crest Hill.
- (3) **CODE.** This code.
- (4) **ORDINANCE.** This chapter.

NPDES PERMIT. Any permit or equivalent document or requirements issued by the administrator, or, where appropriated by the director, after enactment of the Federal Clean Water Act to regulate the discharge of pollutants pursuant to Section 402 of the Federal Act.

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

SEWER TYPES AND APPURTENANCES.

- (1) **SEWER.** A pipe or conduit for conveying sewage or any other waste liquids, including storm, surface and ground water drainage.
- (2) **PUBLIC SEWER.** A sewer provided by or subject to the jurisdiction of the city. It shall also include sewers within or outside the city boundaries that serve one or more persons and ultimately discharge into the city sanitary (or combined) sewer system, even though those sewers may not have been constructed with city funds.
- (3) **SANITARY SEWER.** A sewer that conveys sewage or industrial wastes or a combination of both, and into which storm, surface and groundwaters or polluted industrial wastes are not intentionally admitted.
- (4) **STORM SEWER.** A sewer that carries storm, surface and groundwater drainage but excludes sewage and industrial wastes other than unpolluted cooling water.
- (5) **COMBINED SEWER.** A sewer which is designed and intended to receive wastewater, storm, surface and groundwater drainage.
- (6) **BUILDING SEWER.** The extension from the building drain to the public sewer or other place of disposal.
- (7) **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 (1.5 meters) outside the inner face of the building wall.
- (8) **STORMWATER RUNOFF.** That portion of the precipitation that is drained into the sewers and drainageways.

(9) **SEWERAGE.** The system of sewers and appurtenances for the collection, transportation and pumping of sewage.

(10) **EASEMENT.** An acquired legal right for the specific use of land owned by others.

(11) **DRAINAGEWAY.** Above-ground watercourses, detention basins and/or their environs which are identified by the presence of one or more of the following:

(a) All areas within the floodplain of a perennial stream.

(b) All areas within 25 feet of the ordinary high water mark of an intermittent stream or within a drainage or detention easement, as shown on a plat of subdivision.

SHALL is mandatory; **MAY**. is permissible.

STATE GOVERNMENT.

(1) **DIRECTOR.** The Director of the Illinois Environmental Protection Agency.

(2) **STATE ACT.** The Illinois Anti-Pollution Bond Act of 1970.

(3) **STATE GRANT.** The state of Illinois participation in the financing of the construction of treatment works as provided for by the Illinois Anti-Pollution Bond Act and for making such grants as filed with the Secretary of State of the state of Illinois.

TREATMENT.

(1) **PRETREATMENT.** The treatment of wastewaters from sources before introduction into the wastewater treatment works.

(2) **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.

(1) **WASTEWATER SERVICE CHARGE.** The charge per quarter or month levied on all users of the wastewater facilities. The service charge shall be computed as outlined in Chapter 13.24 of this title and shall consist of the total of the basic user charge, the local capital cost and a surcharge, if applicable.

(2) **USER CHARGE.** A charge levied on users of treatment works for the cost of operation, maintenance and replacement.

(3) **BASIC USER CHARGE.** The basic assessment levied on all users of the public sewer system.

(4) **DEBT SERVICE CHARGE.** The amount to be paid each billing period of payment of interest, principal and coverage of (loan, bond, and the like) outstanding.

(5) **CAPITAL IMPROVEMENT CHARGE.** A charge levied on users to improve, extend or reconstruct the sewage treatment works.

(6) **LOCAL CAPITAL COST CHARGE.** Charges for costs other than the operation, maintenance and replacement costs, such as, debt service and capital improvement costs.

(7) **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 Chapter 13.24 of this title.

(8) **REPLACEMENT.** Expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term **OPERATION AND MAINTENANCE** includes replacement.

(9) **USEFUL LIFE.** The estimated period during which the collection system and/or treatment works will be operated.

(10) **SEWERAGE FUND.** The principal accounting designation for all revenues received in the operation of the sewerage system.

USER TYPES.

(1) **USER CLASS.** The type of user, residential, institutional/governmental, commercial or industrial as defined in this definition.

(2) **RESIDENTIAL USER.** All dwelling units such as houses, mobile homes, apartments and permanent multifamily dwellings.

(3) **COMMERCIAL USER.** Includes transit lodging, retail and wholesale establishments or places engaged in selling merchandise, or rendering services.

(4) **INSTITUTIONAL/GOVERNMENTAL USER.** Includes schools, churches, penal institutions, and users associated with federal, state and local governments.

(5) **INDUSTRIAL USERS.** Includes establishments engaged in manufacturing activities involving the mechanical or chemical transformation of materials of substance into products.

(6) **CONTROL MANHOLE.** A structure located on a site from which industrial wastes are discharged. Where feasible, the manhole shall have an interior drop. The purpose of a control manhole is to provide access for the city representative to sample and/or measure discharges.

WASTEWATER AND ITS CHARACTERISTICS.

(1) **WASTEWATER.** The spent water of a community. From this standpoint of course, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with any groundwater, surface water and stormwater that may be present.

(2) **SEWAGE** is used interchangeably with **WASTEWATER.**

(3) **EFFLUENT CRITERIA** are defined in any applicable NPDES permit.

(4) **WATER QUALITY STANDARDS** are defined in the Water Pollution Regulations of Illinois.

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

(6) **PPM.** Parts per million by weight.

(7) **MILLIGRAMS PER LITER.** A unit of the concentration of water or wastewater constituent. It is 0.001 g. of the constituent in 1,000 ml. of water. It has replaced the unit formerly used commonly, parts per million, to which it is approximately equivalent, in reporting the results of water and wastewater analysis.

(8) **SUSPENDED SOLIDS (SS).** Solids that either float on the surface of, or are in suspension in water, sewage or industrial waste, and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in the IEPA Division of Laboratories Manual of Laboratory Methods.

(9) **BOD (denoting biochemical oxygen demand).** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C., expressed in milligrams per liter.

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

(11) **GARBAGE.** Solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of food.

(12) **PROPERLY SHREDED GARBAGE.** The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

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

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

(15) **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 15 minutes more than five times the average 24-hour concentration or flows during normal operation.

(16) **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.

(17) **MAJOR CONTRIBUTING INDUSTRY.** An industrial user of the publicly owned treatment works that:

- (a) Has a flow of 50,000 gallons or more per average work day;
- (b) Has a flow greater than 10% of the flow carried by the municipal system receiving the waste;
- (c) Has in its waste a toxic pollutant in toxic amounts as defined in standards issued under Section 307(a) of the Federal Act; or
- (d) Is found by the permit issuant authority, in connection with the issuance of the NPDES permit to the publicly owned treatment works receiving the waste, to have significant impact, either singly or in combination with other contributing industries, on that treatment works or upon the quality of effluent from that treatment works.

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.

- (1) **WATERCOURSE.** A channel in which a flow of water occurs, either continuously or intermittently.
- (2) **NATURAL OUTLET.** An outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.
(‘78 Code, 13.08.017) (Ord. 759, passed - -90; Am. Ord. 1359, passed 6-6-05)

§ 13.08.018 VIOLATION; PENALTY.

(A) Any person found to be violating any provision of this chapter except § 13.08.015 shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(B) The city may revoke any permit for sewage disposal as a result of any violation of any provision of this chapter.

(C) Any person who continues any violation beyond the time limit provided for in division (A) of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in the amount not exceeding \$500 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

(D) Any person violating any of the provisions of this chapter shall become liable to the city by reasons of such violation.
(‘78 Code, 13.08.018) (Ord. 759, passed - -90; Am. Ord. 1359, passed 6-6-05)

§ 13.08.020 CONNECTION OF SANITARY SEWER SYSTEM TO STORM SEWER SYSTEM OR DRAINAGEWAY.

It is unlawful to connect any sanitary sewer to any storm sewer within the city, and it is unlawful to permit any such connection to continue to exist. It is unlawful for any person, firm or corporation to

connect or cause to be connected any drain carrying, or to carry, any toilet, sink, basement, septic tank, cesspool, industrial waste, or any fixture or device discharging polluting substances to any stormwater drainage system or drainageway.

('78 Code, 13.08.020) (Ord. 53, passed - -61; Am. Ord. 345, passed - -73; Am. Ord. 1359, passed 6-6-05)

§ 13.08.030 CONNECTION OF STORM SEWER SYSTEM TO SANITARY SEWER SYSTEM.

It is unlawful for any person to connect line water leaders, roof leaders, surface drains, downspouts, or groundwater drains to the sanitary sewer system. It is unlawful to permit any such connection to continue to exist.

('78 Code, 13.08.030) (Ord. 53, passed - -61; Am. Ord. 196, passed - -67; Am. Ord. 1359, passed 6-6-05)

§ 13.08.040 CONNECTION OF DOWNSPOUTS TO STORM SEWERS; PERMISSION REQUIRED.

It shall be permissible to connect downspouts to storm sewers; provided, however, that written permission is first obtained from the Director of Public Works or his/her designee of the city. It shall be the duty of the Director of Public Works or his/her designee to provide the necessary application form therefor and charge the sum of \$2 for the issuance of any such permits.

('78 Code, 13.08.040) (Ord. 53, passed - -61; Am. Ord. 1359, passed 6-6-05; Am. Ord. 1637, passed 8-5-13)

§ 13.08.050 MANDATORY SEWER CONNECTION.

Whenever a public sewer is accessible in a street or alley to a building or premises abutting thereon, the liquid waste from any plumbing system in the building shall discharge into the municipal sewer unless otherwise approved by the City Council.

('78 Code, 13.08.050) (Ord. 196, passed - -67; Am. Ord. 1359, passed 6-6-05)

§ 13.08.060 HOUSE SEWER AND DRAINAGE SYSTEM TO BE INDEPENDENT.

Each house sewer and drainage system shall be independent of that of any other building, except where one building stands in the rear of another building, but located on the same lot, in which case a house sewer may be extended from the front building to the rear building.

('78 Code, 13.08.060) (Ord. 196, passed - -67; Am. Ord. 1359, passed 6-6-05)

§ 13.08.070 LOCATION FOR CONNECTION; EXCEPTION.

Every connection to the municipal sewer shall be made at the "Y" designated for that property. The only exception shall be where the designated "Y" is not located within three feet of any point of measurement designated by the city engineer. Any connection not made at the designated "Y" of the main sewer shall be made under the direct supervision of the Plumbing Inspector.

('78 Code, 13.08.070) (Ord. 196, passed - -67; Am. Ord. 1359, passed 6-6-05)

§ 13.08.080 RIGHT OF INSPECTION.

Users of city water and sewers shall, at all reasonable hours permit city officials to enter upon and into their premises for the purposes of conducting an inspection of all sewer connections.

('78 Code, 13.08.080) (Ord. 830, passed - -91; Am. Ord. 1359, passed 6-6-05)

§ 13.08.090 PENALTY FOR FAILURE TO COMPLY WITH §§ 13.08.020 THROUGH 13.08.080.

Failure of any customer, prospective customer or user to fully comply with §§ 13.08.020 through 13.08.080 shall justify a refusal or termination of water or sewage treatment service to that user, but termination or subsequent restoration of service shall be done in the following manner:

(A) When the City Clerk becomes aware of a violation of any of the above sections, the Clerk shall send a notice by U.S. mail, to the user at his last known address. If the only address known to the Clerk is the address where the service is being used, the Clerk shall send the notice by U.S. mail to that address. If the City Clerk becomes aware that the notice has not reached the user within seven days after it was mailed, the Clerk may but is not required to cause a designated city employee to personally serve the notice on the user at the address where the services are being used. If, in the exercise of due diligence, the designated employee cannot serve the notice on the user, notice shall be posted upon the user's premises. Three attempts to personally serve the notice shall be conclusively presumed to be sufficient exercise of due diligence. A City Clerk shall charge the use the sum of \$5 for each and every instance in which the City Clerk prepares and mails notice to the user of their violation.

(B) The notice shall be in the following form:

NOTICE OF PENALTY-SEWER CONNECTIONS

You are hereby notified that you have failed to comply with Chapter 13.08 of the Crest Hill Municipal Code relating to sewer connections in the following particulars: _____

(Here detail what violation the user has committed, i.e. down spouts connected to storm sewers, failure to permit inspections and the like)

You may comply with the provisions of Chapter 13.08 by doing the following: _____

(Here detail what the user must do to be in compliance, including, payment of penalties, disconnect storm waters from sanitary sewers and reconnect to storm sewers, and the like)

If you do not so comply within fifteen days of the date of this Notice, the City of Crest Hill will terminate your water and sewer service without further notice to you. If your water and sewerage service is terminated, it will not be renewed unless you have fully complied, which compliance includes performance of the work described above and payment of a \$20.00 fee for the shut-off, and payment of a \$20.00 fee for restoration of service. All compliance shall be approved by the City and all payments shall be made at the Office of the City Clerk, City of Crest Hill, City Hall, 1610 Plainfield Road, Crest Hill, Illinois.

(Signed) _____
City Clerk

Date: _____

Crest Hill - Water and Sewer

(C) The City Clerk shall retain a copy of the notice specified above and the copy shall be prima facie evidence that the customer was served with notice. The City employee who makes said service personally shall complete the following form:

CERTIFICATE OF SERVICE

I, _____, who am employed by the city of Crest Hill in the position of _____ certify that I served the attached notice upon _____ (User's Name) _____ at user's address at _____ (User's Address) _____, by _____ (personal service or posting) _____. If the notice was served by posting, I certify that I diligently attempted to serve the user personally at the above address, but was unable to locate the user there.

(Signed) _____
Employee

Date: _____

(D) Upon the expiration of 15 days after service of the notice, the City Clerk shall direct the appropriate authorities to terminate water (and, if possible, sewer.)

(E) Upon compliance by the user, including payment of all penalties, including a \$40 fee for restoration of services, and the currently required security deposit, the Clerk shall direct the appropriate authorities to restore water and sewer service to the user.

('78 Code, 13.08.090) (Ord. 830, passed - -91; Am. Ord. 961, passed 8-21-95; Am. Ord. 1359, passed 6-6-05)

CHAPTER 13.12: SEWER CONSTRUCTION SPECIFICATIONS

Section

- 13.12.010 Material
- 13.12.020 Joints and connection materials
- 13.12.030 Size of house sewers
- 13.12.040 Grades for house sewers
- 13.12.050 Trenching and backfilling
- 13.12.060 Use of house sewers

§ 13.12.010 MATERIAL.

All sewers used in the new construction or remodeling of homes shall be constructed of either vitrified glazed clay sewer pipe conforming to the A.S.T.M. standard specifications for clay sewer pipe (Designation C-13), or extra heavy cast iron, soil pipe, conforming to A.S.T.M. standard specifications for cast iron soil pipe and fittings (Designation A-74), or asbestos cement pipe conforming to federal specifications SSP-3316, or armco truss pipe (or equal) manufactured in accordance with A.S.T.M. Designation D-2680-68T, or plastic sewer pipe of the variety SDR 35 or PVC Schedule 80. Any of the above choices may be installed whether or not the pipe is exposed or is buried beneath a concrete or other hard-surfaced floor. Any of the above choices may be installed in commercial or manufacturing structures, except that the Director of Public Works or his/her designee or his lawfully appointed designee must specifically approve the use of SDR 35 or PVC Schedule 80 with the issuance of the building permit before plastic pipe may be installed and buried beneath a concrete or other hard-surfaced floor. ('78 Code, § 13.13.010) (Ord. 196, passed - -67; Am. Ord. 326, passed - 72; Am. Ord. 772, passed - -90; Am. Ord. 1637, passed 8-5-13)

§ 13.12.020 JOINTS AND CONNECTION MATERIALS.

(A) *Vitrified clay pipe.* Vitrified clay pipe shall have compression joints of rubber or polyvinyl chloride or other approved resilient plastic material conforming to A.S.T.M. Designation C-425, installed in accordance with provision of A.S.T.M. C12-64 and the manufacturers' instructions, with solvents or lubricants as recommended.

(B) *Cast iron pipe.* Caulked joints for cast iron bell and spigot soil pipe shall be firmly packed with oakum or hemp and filled with molten lead not less than one inch deep and not to extend more than one-eighth inch below the rim of the hub. No paint, varnish or other coatings shall be permitted on the joining material until after the joint has been tested.

(C) *Asbestos cement pipe.* Joints for asbestos cement pipe shall be made with asbestos cement sleeve couplings sealed with rubber rings in accordance with the manufacturers' instructions. Joints between asbestos cement pipe and other pipe materials shall be made with an asbestos cement adaptor coupling caulked with oakum and lead, rubber rings or other approved sealing materials.

(D) *Armco truss pipe.* Armco truss pipe (or equal) manufactured in accordance with A.S.T.M. Designation D-2680-68T may be used in place of vitrified glazed clay connections. ('78 Code, § 13.13.020) (Ord. 196, passed - -67; Am. Ord. 326, passed - 72)

§ 13.12.030 SIZE OF HOUSE SEWER.

No house sewer shall be less than six inches in diameter, except that four inch cast iron may be used. Where armco truss pipe or its equivalent is used, the sewer shall be a minimum diameter of six inches, armco extra strength solid wall ABS material or equal, in accordance with current A.S.T.M. specifications. ('78 Code, § 13.13.030) (Ord. 196, passed - -67; Am. Ord. 326, passed - 72)

§ 13.12.040 GRADES FOR HOUSE SEWERS.

Unless otherwise authorized, all house sewers shall have a grade of not less than one-fourth inch per foot. ('78 Code, § 13.13.040) (Ord. 196, passed - -67)

§ 13.12.050 TRENCHING AND BACKFILLING.

All excavations shall be open trench work unless otherwise authorized by the Plumbing Inspector. The foundation in the trench shall be formed to prevent any subsequent settlement of the pipes. If the foundation is good, firm earth, the earth shall be pared or molded to give a full support to the lower quadrant of each pipe. Fill holes shall be dug to provide ample space for the making of joints. Care must be exercised in backfilling below the centerline of the pipe in order to give it proper support. Backfilling shall be placed in layers and solidly tamped or packed up to two feet above the pipe. Backfilling shall not be done until final inspection is made by the Plumbing Inspector. ('78 Code, § 13.13.050) (Ord. 196, passed - -67)

§ 13.12.060 USE OF OLD HOUSE SEWERS.

Old house sewers or portions thereof may be approved for use by the plumbing inspector. The Plumbing Inspector may request that the old sewer be excavated for the purpose of facilitating inspection. No odd cesspool or septic tank shall be connected to any portion of a house sewer that is also connected to a public sewer. ('78 Code, § 13.13.060) (Ord. 196, passed - -67)

CHAPTER 13.16: SEPTIC TANKS AND PRIVY VAULTS

Section

- 13.16.010 Septic system unlawful when city sanitary system available
- 13.16.020 Septic system installation; conformance with requirements
- 13.16.030 Septic system installation; building permit issuance
- 13.16.040 City Engineer; supervisory power of construction and installation of sanitary waste disposal improvements
- 13.16.050 Pollution of creeks and other natural water sources unlawful
- 13.16.060 Privy vaults; construction
- 13.16.070 Privy vaults; abandoned; filling
- 13.16.080 Right of entry

§ 13.16.010 SEPTIC SYSTEM UNLAWFUL WHEN CITY SANITARY SYSTEM AVAILABLE.

It is unlawful for any person, partnership, corporation or trustee to install a septic system wherever a city sanitary sewage system is available.
(‘78 Code, § 13.16.010) (Ord. 110, passed - -63)

§ 13.16.020 SEPTIC SYSTEM INSTALLATION; CONFORMANCE WITH REQUIREMENTS.

No person or persons shall construct or install any septic system or other means for the disposal of sanitary wastes that does not conform to the minimum requirements prescribed from time to time by the Department of Health in and for the county and state.
(‘78 Code, § 13.16.020) (Ord. 110, passed - -63)

§ 13.16.030 SEPTIC SYSTEM INSTALLATION; BUILDING PERMIT ISSUANCE.

No building permit for the construction or installation of a septic system or other method of disposing of sanitary wastes shall be issued unless the application therefor is accompanied by detailed plans and specifications for any such sewage disposal installation, and the Director of Public Works or his/her designee shall issue a building permit therefor, only if the construction proposed in such application complies with §§ 13.16.010 and 13.16.020.
(‘78 Code, § 13.16.030) (Ord. 110, passed - -63; Am. Ord. 1637, passed 8-5-13)

§ 13.16.040 CITY ENGINEER; SUPERVISORY POWER OF CONSTRUCTION AND INSTALLATION OF SANITARY WASTE DISPOSAL IMPROVEMENTS.

The City Engineer for the city is empowered and directed to supervise the construction and installation of all such improvements for the disposal of sanitary wastes to assure such improvements comply with the provisions of this chapter, and no person or persons shall cover any such disposal system, including septic tanks and drainage fields or any connection thereto or there from, without first obtaining the written approval of the City Engineer.

('78 Code, § 13.16.040) (Ord. 110, passed - -63)

§ 13.16.050 POLLUTION OF CREEKS AND OTHER NATURAL WATER SOURCES UNLAWFUL.

No owner or occupant of premises situated within the city shall dispose of sewage or other sanitary wastes in such manner as to cause or contribute to the pollution of creeks, streams or the natural flow of surface water. The pollution of any creek, stream or natural flow of surface water is a nuisance.

('78 Code, § 13.16.050) (Ord. 110, passed - -63)

§ 13.16.060 PRIVY VAULTS; CONSTRUCTION.

Privy vaults shall not be constructed where a sewer system is available; nor on any lot where, in cleaning, the night soil would have to be carried through any building of human habitation; nor shall any old vault be connected to a sewer.

('78 Code, § 13.16.060) (Ord. 109, passed - -63)

§ 13.16.070 PRIVY VAULTS; ABANDONED; FILLING.

Privy vaults now existing on premises accessible to a sewer shall be abandoned and shall be cleaned to the bottom and filled with ashes and earth.

('78 Code, § 13.16.070) (Ord. 110, passed - -63)

§ 13.16.080 RIGHT OF ENTRY.

The City Engineer for the city is empowered and directed, within a reasonable time after service of written notice of his intention to do so upon the owner or occupant, to enter into and upon any premises within the corporate limits of the city pursuant to the provisions of Chapter 1.16, to investigate and ascertain whether the method of disposal of sewage or sanitary wastes causes or contributes to the pollution of any creek, stream or natural flow of surface water.

('78 Code, § 13.16.080) (Ord. 110, passed - -63)

CHAPTER 13.20: WATER FACILITIES

Section

- 13.20.010 Fire hydrants
- 13.20.020 Gas water heater; venting
- 13.20.030 Gas water heater; down draft diverter; securing of vent pipes
- 13.20.040 Gas water heater; safety device required
- 13.20.050 Water meters; required; fittings
- 13.20.060 Water meters; warning tag
- 13.20.070 Water meter; cost
- 13.20.080 Water meters; inspection; repair; replacement
- 13.20.090 Water meters; testing
- 13.20.100 Water meter; installation; single-family dwelling
- 13.20.110 Water meter; installation; approval required
- 13.20.120 Water meter; installation; person defined
- 13.20.130 Water meter; installation; applicability of provisions
- 13.20.140 Water meters; tampering with unlawful
- 13.20.150 Water meters; remote reading; installation
- 13.20.160 Water meters; remote reading; City Clerk responsibility
- 13.20.170 Water meter; remote reading; make and manufacture to be prescribed by City Clerk
- 13.20.180 Water meter; remote reading; to replace broken or defective meter
- 13.20.190 Water meter; applicability of §§ 13.20.150 through 13.20.190
- 13.20.200 Authority of city to shut off water during repairs, construction and fires
- 13.20.220 Nonresident users not to supply water to other persons
- 13.20.230 Lawn sprinkling
- 13.20.240 Shutting off water for violations
- 13.20.250 Turning on water supply shutoff by city

§ 13.20.010 FIRE HYDRANTS.

All hydrants constructed in the city for the purpose of extinguishing fires are declared to be public hydrants. No person except Crest Hill city employees or members of the appropriate fire department protecting the city for the uses and purposes of such department, shall open any hydrants; provided that, any person may apply to the Mayor for a permit to draw water from a city hydrant. The Mayor shall issue such a permit only upon the advice and consent of the City Council. If a permit is issued, the permit fee shall be \$100 for each month the person has access to the hydrant. Additionally, the person using the water shall pay one and one-half times the then-current rate for water charges for the amount of water actually used.

(‘78 Code, § 13.20.010) (Ord. 109, passed - -63; Am. Ord. 1371, passed 10-3-05)

§ 13.20.020 GAS WATER HEATER; VENTING.

All gas-fired burners connected to a water system and designed for the heating of water shall be vented into a suitable chimney, with the exception of automatically controlled appliances which use less than 5,000 BTU's per hour; provided, that they are equipped with an effective device that will automatically shut off the gas supply to the main burner in the event that the constantly burning flame or pilot flame is extinguished.

('78 Code, § 13.20.020) (Ord. 109, passed - -63)

§ 13.20.030 GAS WATER HEATER; DOWN DRAFT DIVERTER; SECURING OF VENT PIPES.

All gas-fired burners vented in accordance with § 13.20.020 shall be equipped with suitable down draft diverter, and all vent pipe joints shall be secured with metal screws.

('78 Code, § 13.20.030) (Ord. 109, passed - -63)

§ 13.20.040 GAS WATER HEATER; SAFETY DEVICE REQUIRED.

All automatic gas water heaters shall be equipped with a safety device which, in the event the pilot is extinguished, will prevent the main burner from opening when the thermostat calls for heat unless the pilot is relighted.

('78 Code, § 13.20.040) (Ord. 109, passed - -63)

§ 13.20.050 WATER METERS; REQUIRED; FITTINGS.

All water consumed for any purpose shall be measured through a meter, and no premises will be permitted to use water unless a meter of a make approved by the City Council has first been installed. All meters shall be connected with standard brass unions and sealed, and no person shall be permitted to tamper, remove or in any way interfere with the seal on such water meter except under authority granted by the City Clerk.

('78 Code, § 13.20.050) (Ord. 109, passed - -63)

§ 13.20.060 WATER METERS; WARNING TAG.

The city shall have the full right to attach a tag to water meters bearing the following reading:

“WARNING

Any person who shall break or cause the seal on this meter to be broken is subject to a fine.

CITY OF CREST HILL”

('78 Code, § 13.20.060) (Ord. 109, passed - -63)

§ 13.20.070 WATER METER; COST.

The cost of the repairs to all meters damaged by frost, hot water, negligence of the consumer, or deliberate acts of destruction, shall be charged to the consumer or property owner, as the case may be. If the division of utilities determines that a water meter having an opening of two inches or less is so worn or damaged that the cost of the repairs exceeds 80% of the cost of a new meter, then the city will, at its own expense and free of charge to the consumer, replace such meter with a new one, and the old one shall be retained by the city. The consumer of water shall pay for all repairs and replacements to any meter having an opening larger than two inches.

('78 Code, § 13.20.070) (Ord. 109, passed - -63; Am. Ord. 757, passed - -90)

§ 13.20.080 WATER METERS; INSPECTION; REPAIR; REPLACEMENT.

(A) *Inspection.* The Utility Billing Manager, or his or her assistants, the Director of Public Works or his/her designee and other authorized city officials with the consent of the property owner, or upon their obtaining a search warrant, or in an emergency situation, may enter any premises for the purpose of inspection and to examine and test meters and fixtures.

(B) *Repair; replacement.* If it is necessary to replace or repair water meters operating in the City of Crest Hill, such water meters shall be repaired or replaced by the city. Users of water shall, at reasonable hours, permit any representative of the combined waterworks and sewerage system of the city to enter their premises for the purpose of repairing and/or replacing all water meters and fixtures thereon.

('78 Code, § 13.20.080) (Ord. 109, passed - -63; Am. Ord. 1545, passed 11-1-10; Am. Ord. 1637, passed 8-5-13)

§ 13.20.090 WATER METERS; TESTING.

In case of dispute over the amount of a bill or over the accuracy of a meter, the city will, at the request of the consumer, test the meter. If it is found upon such test that the meter registers a greater amount of water than has actually passed through it, the bill will then be adjusted to conform to the amount passing through the meter and no charge will be made for the test. If, however, the meter registers accurately or registers a lesser volume of water than actually passes through it, the consumer will be required to pay on the basis of the amount passing through the meter. Further, the city is authorized to hire an outside firm or firms in order to do the testing of the meter or meters. If an outside firm is hired to do the testing, the consumer shall pay the amount charged by the outside firm for the testing. This payment will be made directly through the consumer's water bill, and shall be subject to all the other ordinances regarding the payment and collection of water bills in force from time to time in the city. If the meter is tested by city personnel, the consumer shall pay a fee for the testing in the amount of \$20.

('78 Code, § 13.20.090) (Ord. 109, passed - -63; Am. Ord. 631, passed - -85; Am. Ord. 653, passed - -86)

§ 13.20.100 WATER METER; INSTALLATION; SINGLE-FAMILY DWELLING.

It is unlawful for any person to install any water meter in single-family dwellings which are part of the municipal water system of the city without having purchased the water meter from the city.

('78 Code, § 13.20.100) (Ord. 109, passed - -63)

§ 13.20.110 WATER METER; INSTALLATION; APPROVAL REQUIRED.

It is unlawful for any person to install any water meter in any other building or structure which is part of the municipal water system of the city without having the water meter approved for installation by the Director of Public Works or his/her designee.

('78 Code, § 13.20.110) (Ord. 228, passed - -69; Am. Ord. 1637, passed 8-5-13)

§ 13.20.120 WATER METER; INSTALLATION; PERSON DEFINED.

A **PERSON** as defined under this section, includes the owner of the real estate, contractor or person who installs a water meter on property which is obtaining either sewer or water service or both from the city.

('78 Code, § 13.20.120) (Ord. 228, passed - -69)

§ 13.20.130 WATER METERS; INSTALLATION; APPLICABILITY OF PROVISIONS.

Sections 13.20.100 through 13.20.130 shall be binding on all customers of the city operated sewer and water service.

('78 Code, § 13.20.130) (Ord. 228, passed - -69)

§ 13.20.140 WATER METERS; TAMPERING WITH UNLAWFUL.

(A) It is unlawful for any person to break, or cause to be broken, the seal on any water meter unless authorized to do so by the City Clerk.

(B) Whenever it becomes necessary to reseal a water meter because of a violation of division (A) of this section, the customer shall pay the sum of \$3 as a resealing fee, and in addition thereto be penalized as hereinafter provided.

('78 Code, § 13.20.140) (Ord. 130, passed - -64)

§ 13.20.150 WATER METERS; REMOTE; READING; INSTALLATION.

(A) Installations. On and after March 18, 1996, all remote/touchread reading water meters shall be securely fastened on the front of the exterior of the building or on either side of the building within four feet of the front of the building. In no case is the remote/touch read reading water meters to be installed in the rear of a residential building. In the case of a commercial building or any other type of building, the City of Crest Hill reserves the right to specify the location of the remote/touchread reading water meter on a case by case basis.

(B) Duty of Director of Public Works or his/her designee. It shall be the duty and responsibility of the Director of Public Works or his/her designee to insure the proper installation of remote/touchread reading water meters withholding or revoking building permits or occupancy permits or connection permits to the city's water works.

(C) Type of water meter. The City Engineer or the Superintendent of the Water Works shall prescribe, with the approval of the City Council, the make, manufacture, proper location and installation of the remote/touchread reading water meters.

(D) Conduit. One-half inch EMT (thin wall) conduit shall be installed from a point within twelve inches from the water meter to a point on the outside of the building where the remote/touchread reading water meters are to be located. The conduit will be provided and installed with remote wire by the builder. In any existing building with an existing service without conduit installed, conduit must be installed before any remodeling is done that would make the remote wire inaccessible.

(E) Applicability. This section shall be applicable to all new construction for which building permits were issued after March 18, 1996, and to unmetered homes and buildings and all customers who desire to relocate their water meters after March 18, 1996.

(F) Penalty. Any person, firm or corporation who shall violate or refuse to comply with this section shall be refused a building permit, or occupancy permit or connection permit or shall be refused city water service until there is compliance; and in addition, any reasonable cost or expense incurred by the city shall be assessed against the violator and water service withheld until payment is made therefor. This provision is applicable to property owner and builder.
(‘78 Code, § 13.20.150) (Ord. 318, passed - -72; Am. Ord. 981, passed 3-18-96)

§ 13.20.160 WATER METERS; REMOTE READING; CITY CLERK RESPONSIBILITY.

It shall be the duty and responsibility of the City Clerk to insure the proper installation of remote reading water meters by withholding or revoking building permits or occupancy permits or connection permits to the city’s waterworks.
(‘78 Code, § 13.20.160) (Ord. 318, passed - -72)

§ 13.20.170 WATER METER; REMOTE READING; MAKE AND MANUFACTURE TO BE PRESCRIBED BY CITY CLERK.

The City Clerk shall prescribe, with the approval of the City Council, the make, manufacture, proper location and installation of remote reading water meters.
(‘78 Code, § 13.20.170) (Ord. 318, passed - -72)

§ 13.20.180 WATER METER; REMOTE READING; TO REPLACE BROKEN OR DEFECTIVE METER.

Whenever a broken or defective water meter is replaced by a new meter, the city shall install a remote reading water meter. The cost of the remote reader unit shall be borne by the property owner or water customer payable in total or on an installment plan approved by the City Clerk.
(‘78 Code, § 13.20.180) (Ord. 318, passed - -72; Am. Ord. 330, passed - -72)

§ 13.20.190 WATER METER; APPLICABILITY OF §§ 13.20.150 THROUGH 13.20.190.

Sections 13.20.150 through 13.20.190 shall be applicable to all new construction, new construction in progress and to unmetered homes and buildings and all customers who desire to relocate their water meters.

('78 Code, § 13.20.190) (Ord. 318, passed - -72)

§ 13.20.200 AUTHORITY OF CITY TO SHUT OFF WATER DURING REPAIRS, CONSTRUCTION AND FIRES.

In case of making repairs or constructing new work, the city reserves the right to shut off water at once and keep it shut off as long as may be necessary to accomplish such purpose or by giving such reasonable notice thereof to its consumers as shall be practicable. In case of fire or fire alarms during the hours in which sprinkling shall be permitted, any person then using water for sprinkling shall at once shut off the water and cease such sprinkling until it is ascertained that such fire has been extinguished or that the fire alarm was false; nor shall any person draw water for lawn or street sprinkling after a fire alarm until such fire is extinguished or until it is known that the fire alarm is false.

('78 Code, § 13.20.200) (Ord. 109, passed - -63)

§ 13.20.220 NONRESIDENT USERS NOT TO SUPPLY WATER TO OTHER PERSONS.

No person living outside of the city and having his property connected to the city water mains shall supply other persons or families or allow them to take water from their premises.

('78 Code, § 13.20.220) (Ord. 109, passed - -63)

§ 13.20.230 LAWN SPRINKLING.

All persons using water for sprinkling lawns and yards will be required to have their piping so arranged that water used for such purposes will be measured through their meters. The city reserves the right to prohibit the use of water for sprinkling when there is a shortage of water.

('78 Code, § 13.20.230) (Ord. 109, passed - -63)

§ 13.20.240 SHUTTING OFF WATER FOR VIOLATIONS.

Any person violating any of the rules and regulations provided in this chapter may be punished by having the supply of water stopped at once with any preliminary notice.

('78 Code, § 13.20.240) (Ord. 109, passed - -63)

§ 13.20.250 TURNING ON WATER SUPPLY SHUT OFF BY CITY.

No person shall turn on the supply of water to any premises from which the supply of water has been turned off by the city on account of nonpayment of water rent, breaking of meter seals or for any other cause.

('78 Code, § 13.20.250) (Ord. 109, passed - -63)

CHAPTER 13.24: RATES AND CHARGES¹

Section

- 13.24.010 City water service charges
- 13.24.011 Wastewater service charges
- 13.24.012 Local capital cost charge
- 13.24.013 Basic user rate
- 13.24.014 Surcharge rate
- 13.24.015 Computation of wastewater service charge
- 13.24.016 Fees for wastewater discharge from vehicles
- 13.24.017 Sprinkler water service charges
- 13.24.020 Payment of charges
- 13.24.030 Service in apartment buildings
- 13.24.032 Service to commercial and industrial users
- 13.24.040 Customers outside city
- 13.24.050 Bills
- 13.24.051 Delinquent bills
- 13.24.055 Time of payment; penalty for late payments
- 13.24.060 Deposit for water service of applicants not owners of property
- 13.24.070 Rate permit for water used for construction purposes
- 13.24.075 Water rates for tanker filling
- 13.24.080 Lien for nonpayment of water bills or sewer service charges
- 13.24.090 Foreclosure of lien
- 13.24.100 Revenues
- 13.24.110 Unmetered customers; notification to install meters
- 13.24.120 Unmetered customers; hardship permits
- 13.24.130 Unmetered rates
- 13.24.135 Accounts
- 13.24.136 Notice of rates
- 13.24.140 Penalty for failure to comply with §§ 13.24.010 through 13.24.130
- 13.24.150 Access to records

§ 13.24.010 CITY WATER SERVICE CHARGES.

There are hereby established the rates and charges for use of water provided by the City of Crest Hill through the city waterworks. These charges shall be separate and apart from any wastewater service charges or from any debt service charges as specified in §§ 13.24.011, 13.24.012, 13.24.013, 13.24.014 and 13.24.015 of this chapter.

¹For statutory provisions authorizing municipalities to fix utility rates and penalties for late payment, see ILCS Ch. 65, Act 5, § 11-117-12.

(A) For use of water service as provided by the city, the following rates and charges shall apply:

<i>Cubic Feet Per Month</i>	<i>Total Charge Per Month</i>
0 - 200 cu. ft.	\$6.39 flat charge
Over 200 cu. ft.	6.39 flat charge for the first 200 cu. ft. plus \$2.50 per 100 cu. ft. for water used over and above the first 200 cu. ft.

The total charge per month rates above described shall be increased on May 1, 2010 by 5%, and the rate shall increase by 5% annually each May 1st thereafter.

(B) Billing for water service shall be as specified in § 13.24.050 of this chapter, and the procedure for handling delinquent bills shall be in accordance with § 13.24.140 of this chapter. The procedure for establishing liens on behalf of the city for unpaid water bills shall be in accordance with § 13.24.080 of this chapter.

('78 Code, § 13.24.010) (Ord. 311, passed - -72; Am. Ord. 667, passed - -87; Am. Ord. 700, passed - -88; Am. Ord. 918 passed 5-2-94; Am. Ord. 1293, passed 6-16-03; Am. Ord. 1427, passed 7-16-07; Am. Ord. 1433, passed 9-4-07; Am. Ord. 1448, passed 2-4-08; Am. Ord. 1474, passed 3-2-09)

§ 13.24.011 WASTEWATER SERVICE CHARGES.

The wastewater charge for the use of and for service supplied by the wastewater facilities of the city shall consist of a basic user charge for operation and maintenance plus replacement, applicable surcharges and local debt service charge. The charge shall be imposed only upon wastewater production and shall, therefore, not be subject to the provisions of § 13.24.010 of this chapter.

(A) The debt service charge is computed by apportioning the annual debt service on a cost per 100 cubic feet.

(B) (1) The basic user charge shall be based on water usage as recorded by water meters and/or sewage meters for waste having the following normal domestic concentrations:

- (a) A five-day, 20°C. biochemical oxygen demand (BOD) of 200 mg/l;
- (b) A suspended solids (SS) content of 240 mg/l.

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

- (a) Estimate wastewater volume, pounds of 55 and pounds of BOD to be treated;
- (b) Estimate the projected annual revenue required to operate and maintain the wastewater facilities including a replacement fund for the year, for all work categories;
- (c) Proportion the estimated operation, maintenance and replacement (O, M & R) costs to wastewater facility categories by volume, suspended solids and BOD;

(d) Compute costs for 100 cubic feet normal sewage strength;

(e) Compute surcharge costs per pound per 100 C, in excess of normal sewage strength for BOD and SS.

(C) (1) Surcharge will be levied to all users whose waters exceed the normal domestic concentration of BOD (200 mg/l) and SS (240 mg/l). The surcharge will be based on water usage as recorded by water meters and/or sewage meters for all wastes which exceed the 200 mg/l and 240 mg/l concentration for BOD and SS respectively. Section 13.24.014 of this chapter specifies the procedure to compute a surcharge.

(2) Adequacy of the wastewater service charge shall be reviewed, not less often than annually, by certified public accountant for the city in their annual audit report. The wastewater service charge shall be revised periodically to reflect a change in local capital costs or a change in operation and maintenance costs including replacement costs.

(3) The user of wastewater treatment services will be notified annually, in conjunction with the regular bill, of the rate and that portion of the user charges which are attributable to the wastewater treatment operation, maintenance and replacement.

(D) The volume of flow used for computing basic user charges and surcharges shall be the metered water consumption read to the lowest even increments of ten cubic feet.

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

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

(3) Metering devices for determining the volume of waste shall be installed, owned and maintained by the person. Following approval and installation, such meters may not be removed, unless service is canceled, without the consent of the City Engineer.
(‘78 Code, § 13.24.011) (Ord. 700, passed - -88)

§ 13.24.012 LOCAL CAPITAL COST CHARGE.

A debt service charge of \$0.26 per 100 cubic feet for all residential, commercial and industrial users, and \$0.70 per 100 cubic feet for all institutional or governmental users is established. Where sewage production, based on water meter readings, does not exceed 200 cubic feet per month, users shall be assessed a debt service charge on the basis of 200 cubic feet of usage. The debt service charge shall be assessed over and above the basic user rate established in this chapter.
(‘78 Code, § 13.24.012) (Ord. 700, passed - -88; Am. Ord. 704, passed - -88)

§ 13.24.013 BASIC USER RATE.

(A) There shall be and there is hereby established a minimum charge and a basic user rate for the use of and for service supplied by the wastewater facilities of the City of Crest Hill. A minimum charge

of \$7.40 per month shall be applied to all users whose water consumption does not exceed 200 cubic feet per month. A basic user rate of \$3.48 per 100 cubic feet shall be applied to all users for water consumption in excess of 200 cubic feet per month.

(B) All nonmetered residential users of the wastewater facilities shall pay a minimum flat rate charge per month adequate to cover the costs of debt service charge, the minimum service charge and the basic user rate of \$22.88. The flat rate charge will allow a maximum of 600 cubic feet per month.

(C) All nonmetered commercial, government or industrial users of the wastewater facilities shall pay a minimum flat rate charge per month adequate to cover the costs of debt service charge, the minimum service charge and the basic user rate of \$37.84. The flat rate charge will allow a maximum of 1,000 cubic feet per month.

(D) In the event use of the wastewater facilities is determined by the City of Crest Hill to be in excess of 600 cubic feet per month for nonmetered residential users or in excess of 1,000 cubic feet per month for commercial, government or industrial users, the City of Crest Hill may require such flat rate user to install metering devices on the water supply or sewer main, a make that is approved by the water department, to measure the amount of service supplied. This cost, as well as any other costs associated with this, will be paid by the flat charge user. Any metered wastewater user whose usage is in excess of 150,000 cubic feet per month shall pay a rate of \$5.40 per 100 cubic feet based upon the amount of service supplied instead of the amount listed in divisions (A), (B), or (C) of this section.

(E) In the event use of the wastewater facilities is determined by the nonmetered residential flat charge user to be less than 600 cubic feet per month or the nonmetered commercial, government or industrial flat charge user to be less than 1,000 cubic feet per month, the flat charge user may install a metering device on the water supply or sewer main, a make that is approved by the Water Department, to measure the amount of service supplied. This cost, as well as any other costs associated with this, will be paid by the flat charge user.

(F) The minimum rate and total basic user rates above described shall be increased on May 1, 2013 by 5%, and those rates shall increase by 5% annually each May 1st thereafter. ('78 Code, § 13.24.013) (Ord. 700, passed - 88; Am. Ord. 918 passed 5-2-94; Am. Ord. 1293, passed 6-16-03; Am. Ord. 1427, passed 7-16-07; Am. Ord. 1433, passed 9-4-07; Am. Ord. 1448, passed 2-4-08; Am. Ord. 1474, passed 3-2-09; Am. Ord. 1595-A, passed 5-7-12)

§ 13.24.014 SURCHARGE RATE.

(A) *Surcharge rate:* The rates of surcharges for BODs and SS shall be as follows:

- (1) Per lb. of BOD: 25% of the Basic User Rate per 100 cubic feet as currently in effect;
- (2) Per lb. of SS: 20% of the Basic User Rate per 100 cubic feet as currently in effect.

(B) *Computation of surcharge:* The concentration of wastes used for computing surcharges shall be established by waste sampling. Waste sampling shall be performed as often as the city or its representatives, including the City Engineer, shall deem necessary. ('78 Code, § 13.24.014) (Ord. 700, passed - 88; Am. Ord. 918 passed 5-2-94; Am. Ord. 1293, passed 6-16-03; Am. Ord. 1427, passed 7-16-07; Am. Ord. 1433, passed 9-4-07; Am. Ord. 1448, passed 2-4-08; Am. Ord. 1474, passed 3-2-09)

§ 13.24.015 COMPUTATION OF WASTEWATER SERVICE CHARGE.

(A) Where a user generates under 200 cubic feet per month, the user's wastewater service charge shall be computed by the following formula:

$$CW = CM + 2CD + CS.$$

(B) Where the user generates more than 200 cubic feet per month, the user's wastewater service charge shall be computed by the following formula:

$$CW = CM + (CD + CU) (Vu - x) + CS + 2CD.$$

Where,

CW = Amount of waste service charge (\$) per billing period.

CD = Debt service charge (§ 13.24.012)

CM = Minimum charge for operation, maintenance and replacement (§ 13.24.013)

Vu = Wastewater volume for the billing period.

X = Allowable consumption in cubic feet for the minimum charge (§ 13.24.013)

CU = Basic user rate for operation, maintenance and replacement (§ 13.24.014)

CS = Amount of surcharge (§ 13.24.014).

('78 Code, § 13.24.015) (Ord. 700, passed - '88; Am. Ord. 704, passed - '88)

§ 13.24.016 FEES FOR WASTEWATER DISCHARGE FROM VEHICLES.

Whenever a vehicle desires to discharge wastewater into the City Wastewater Facilities, the owner or operator of the vehicle shall first pay all fees and charges as established by this section prior to discharging into the City Wastewater Facilities.

(A) The basic charges for a vehicle discharging into the City Wastewater Facilities shall be as follows:

(1) For a vehicle with a tank capacity of 3,000 gallons or less, \$135 per load as of July 1, 2006. Provided, however, commencing May 1, 2007, this charge shall increase by 5%, and every May 1st thereafter the charge shall increase by an additional 5% over the year before;

(2) For vehicles with a tank capacity of more than 3,000 gallons, the fee per load shall be determined on a case by case basis with reference to the tank capacity of the vehicle, as a result of negotiations between the owner/operator of the vehicle and the City Water Department authorized representative. Provided however, in no event shall the charge be less than the charge for a tank capacity of 3,000 gallons or less under division (A) above, and in no event shall the fee be increased more than twice the percentage increase over the 3,000 gallon tank capacity of division (A). For example, for a vehicle of a tank capacity of 6,000 gallons, the City Water Department representative can charge no less than the minimum set out in division (A), and he can charge no more than \$405, which is twice the increase of the fee over the original \$135 (assuming a discharge on January 1, 2007).

(B) All other normal and customary wastewater service charges and/or debt service charges as specified in §§ 13.24.011, 13.24.012, 13.24.013, 13.24.014, and 13.24.015 shall apply to the vehicles

desiring to discharge into the City Wastewater Facilities, and those fees shall be paid in addition to the fees described above prior to any vehicle being allowed to discharge into the City Wastewater Facility. (Ord. 960, passed 8-21-95; Am. Ord. 1142, passed 6-5-00; Am. Ord. 1408, passed 6-19-06)

§ 13.24.017 SPRINKLER WATER SERVICE CHARGES.

There are hereby established the rates and charges for use of sprinkler water provided by the City of Crest Hill through the city waterworks. A **SPRINKLER METER** is defined as a second water meter provided by the city for outside use that will not utilize the city sewer system. **SPRINKLER METERS** shall be purchased exclusively from the city. It shall be the responsibility of the property owner to ensure proper installation of plumbing and sprinkler meter. A representative of the water department shall inspect all sprinkler meter installations. Sprinkler water service charges shall be separate and apart from any city water service charges, wastewater service charges or from any debt service charges as specified in §§ 13.24.010 through 13.24.015 of this chapter.

(A) (1) For use of sprinkler water service provided by the city, the following rates and charges shall apply:

<i>Cubic Feet Per Month</i>	<i>Total Charge Per Month</i>
0 cu. ft.	\$0.00
1 -200 cu. ft.	\$6.71 flat charge for the first 200 cu. ft. plus \$2.63 per 100 cu. ft. for water used over and above the first 200 cu. ft.

(2) The total charge per month rates above described shall be increased by 5% annually each May 1st in accordance with the rates established in ordinance No. 1474, approved March 2, 2009.

(B) Billing for sprinkler water service shall be as specified in § 13.24.050 of this chapter, and the procedure for handling delinquent bills shall be in accordance with § 13.24.140 of this chapter. The procedure for establishing liens on behalf of the city for unpaid water bills shall be in accordance with § 13.24.080 of this chapter.

(Ord. 1545, passed 11-1-10)

§ 13.24.020 PAYMENT OF CHARGES.

All charges for sewer and water service as provided in § 13.24.010 shall be due and payable ten days after the rendition of any bill or statement for such services, and the city shall have the right to impose a lien on real estate occupied by the user for any delinquent charges for such services including a penalty of 10% of the unpaid delinquent balance.

('78 Code, § 13.24.020) (Ord. 311, passed - -72)

§ 13.24.030 SERVICE IN APARTMENT BUILDINGS.

(A) In all apartments wherein tenants are subscribing to sewer and water services from the city and wherein one shut-off valve is the only means of disconnecting the water service to the apartment building,

the owner or owners are declared to be jointly and severally liable for the sewer and water charges incurred by the tenants, and the failure or nonpayment of sewer and water charges by either the owners or the tenants as aforesaid shall entitle the city to impose a lien on the real estate for the full amount of the sewer and water charges incurred by the tenants and impose a penalty of 10% of the unpaid delinquent water and sewer charges.

(B) For sewer and water services to apartment buildings with three or more units within a building served by only one water meter, the established rate aforesaid shall apply and in addition thereto a further charge of \$3 per month per apartment served shall be imposed.

('78 Code, § 13.24.020) (Ord. 311, passed - -72; Am. Ord. 569, passed - -82)

§ 13.24.032 SERVICE TO COMMERCIAL AND INDUSTRIAL USERS.

In all cases wherein commercial or industrial users are subscribing to sewer and water services from the city, the owner or owners of the commercial or industrial facilities and the users of the facilities are jointly and severally liable for the sewer and water charges. If a user is a tenant on the commercial or industrial property involved, the city may look to either the user or the owner of the property itself for payment of the sewer and water charges, whether or not the user has already vacated the premises and released the premises back to the owner. All penalties that may by law be imposed by the city upon a user for nonpayment of sewer or water charges may also be imposed upon the owner of the property involved.

('78 Code, § 13.24.032) (Ord. 541, passed - -81)

§ 13.24.040 CUSTOMERS OUTSIDE CITY.

The rates for customers outside the corporate limits of the city shall be one and one-half times the rates given in the preceding section, including the minimum fees.

('78 Code, § 13.24.040) (Ord. 109, passed - -63)

§ 13.24.050 BILLS.

(A) The rates or charges for service shall be payable monthly or quarterly depending on the classification of services for which bills are rendered. The owner of the premises, the occupant thereof and the user(s) of the service shall be jointly and severally liable to pay for the service to such premises and the service provided by the city to the premises upon the aforesaid condition. All bills and accounts for service shall be held only in the name of the title owner of record of the premises. All account holders, when necessary, will fully comply with the state statutes, then in effect, relating to notification of tenants of the water and sewer utility charges.

(B) Bills for sewer and water service shall be sent out by the City Water Department within 30 days following the end of the period for which service is billed.

(C) All sewer and water bills are due and payable ten days after being sent out. A penalty of 7½% shall be added to all bills not paid by the tenth day after they have been rendered. All payments shall be applied to the sums then due in the following manner; first, to late fees that may be due; second, to charges for water service provided.

('78 Code, § 13.24.050) (Ord. 700, passed - -88; Am. Ord. 883, passed 5-17-93; Am. Ord. 990, passed 5-20-96)

§ 13.24.051 DELINQUENT BILLS.

If the charges for such services are not paid within 45 days of the ten days hereinabove mentioned after the rendition of the bill for such services, any delinquent recipient of services shall be subject to the provisions of § 13.24.140 of this code, and shall not be reinstated until all claims are settled.

('78 Code, § 13.24.051) (Ord. 700, passed - -88)

§ 13.24.055 TIME OF PAYMENT; PENALTY FOR LATE PAYMENTS.

All bills for service shall have a payment "due date" which shall be ten days after the date on which the bill is rendered. If within any 12-month period, any two water and/or sewer bills are more than 30 days late with payment, the city may impose an additional penalty and require a deposit of \$100 to assure the payment of future bills.

('78 Code, § 13.24.055) (Ord. 751, passed - -90)

§ 13.24.060 DEPOSIT FOR WATER SERVICE OF APPLICANTS NOT OWNERS OF PROPERTY.

All applicants for water service who are not the owners of the residence or single apartments which they desire to have supplied with water shall make a deposit of \$50; and all applicants of all business, commercial or industrial enterprises who are not the owners of the premises they desire to have supplied with water shall make a deposit of \$150. These deposits shall be made with the City Treasurer, who will issue a certificate of deposit. These funds will be set up in a separate account. These deposits shall be security for the payment of the water to be used, for which a certificate of deposit shall be issued. Upon surrender of such certificate and the payment of all indebtedness, if any, due to the city, the deposit shall be returned to the depositor, or his assigns, whenever the city has discontinued the supply of water to such premises after due notice in writing. Upon such discontinuance, if there is any unpaid indebtedness due the city for water or services supplied to such premises, the amount of such indebtedness shall be deducted from such deposit. Existing nonowner tenants shall become liable to make the deposits described aforesaid in case of any change in residence; and in case they fail to pay an existing water bill

to the city, they shall not be allowed water service at any new residence, single apartment or business, commercial and industrial enterprises until such existing water bill is paid in full.
(‘78 Code, § 13.24.060) (Ord. 109, passed - -63; Am. Ord. 569, passed - -82)

§ 13.24.070 RATE PERMIT FOR WATER USED FOR CONSTRUCTION PURPOSES.

Persons desiring to use city water for construction purposes where it is impracticable to measure the consumption of water by meter shall in such cases apply to the City Clerk for a permit for that purpose and shall be required to pay for such water at the time of the issuance of such permit to the City Collector at the following rate:

(A) Water for use during construction, \$100 per building permit. The flat rate charged for water supplied for construction under such permit shall terminate when occupancy of the premises begins or within one year after the issuance thereof, whichever time is sooner. Any water used after such period shall be metered and charged according to meter rates. In no case shall such permit for water for construction purposes be construed as permitting the use of such water for landscaping or yard preparation, and it is unlawful to use water under such arrangement for landscaping or yard preparation.

(B) All other persons desiring to use city water in any other case where it is impracticable to measure the consumption by meter shall apply to the City Clerk for a permit for that purpose and shall be required to pay for such water such sum as required by § 13.24.130 of this code.
(‘78 Code, § 13.24.070) (Ord. 109, passed - -63; Am. Ord. 1039, passed 10-6-97)

§ 13.24.075 WATER RATES FOR TANKER FILLING.

Persons desiring to use city water for the purposes of filling a tanker truck for lawful purposes from a city water hydrant shall in all such cases apply to the City Water Department for permission to connect to such fire hydrant and shall be required to pay for such water at the time such permission is granted as follows:

(A) A \$25 flat fee for water drawn from a fire hydrant not to exceed 3,000 gallons;

(B) A \$50 fee to draw 3,000 gallons but less than 6,000 gallons from a fire hydrant;

(C) A \$75 fee to draw 6,000 gallons but less than 9,000 gallons from a fire hydrant.

In no event shall any person be authorized to draw more than 9,000 gallons of water from a fire hydrant to fill a water tanker vehicle.
(Ord. 1045, passed 1-5-98)

§ 13.24.080 LIEN FOR NONPAYMENT OF WATER BILLS OR SEWER SERVICE CHARGES.

The city shall have a continuing lien upon the premises and real estate upon or for which water is used or supplied for all water rates or sewer service charges or benefits accruing by reason of the provisions of this chapter plus the sum of \$80 to defray the expenses, time and effort of the city in imposing the lien. Every such lien shall, upon compliance with the conditions set forth in this chapter, become and be prior and superior to the rights and interest of creditors, encumbrances, purchasers and other parties in interest in the premises and real estate.
(‘78 Code, § 13.24.080) (Ord. 700, passed - -88; Am. Ord. 750, passed - -90; Am. Ord. 1648, passed 11-4-13)

§ 13.24.090 FORECLOSURE OF LIEN.

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

('78 Code, § 13.24.090) (Ord. 700, passed - -88)

§ 13.24.100 REVENUES.

(A) All revenues and moneys derived from the operation of the sewerage system shall be deposited in the sewerage account of the sewerage fund. All such revenues and moneys shall be held by the City Treasurer separate and apart from his private funds and separate and apart from all other funds of the city and all of the sum, without any deductions whatever, shall be delivered to the City Treasurer not more than ten days after receipt of the same, or at such more frequent intervals as may from time to time be directed by the Mayor and City Council.

(B) The City Treasurer shall receive all such revenues from the sewerage system and all other funds and moneys incident to the operation of such system as the same may be delivered to him and deposit the same in the account of the fund designated as the "Sewerage Fund of the city of Crest Hill." The City Treasurer shall administer such fund in every respect in the manner provided by statute of the "Revised Cities and Village Act," effective January, 1942.

('78 Code, § 13.24.100) (Ord. 700, passed - -88)

§ 13.24.110 UNMETERED CUSTOMERS; NOTIFICATION TO INSTALL METER.

All unmetered water and sewer customers shall obtain and install a meter within 30 days upon the issuance of a notice, in writing, by the city or its designated agents or employees to do so.

('78 Code, § 13.24.110) (Ord. 338, passed - -73)

§ 13.24.120 UNMETERED CUSTOMERS; HARDSHIP PERMITS.

The City Council or its designated agent or employee may grant a permit to render unmetered service where the circumstances are such that metered service cannot be rendered on a fair and equitable basis to the applicant.

('78 Code, § 13.24.120) (Ord. 338, passed - -73)

§ 13.24.130 UNMETERED RATES.

All unmetered customers of the city's water and sewer system shall pay a flat rate of \$14 per month during the period of unmetered service; upon the installation of a meter, the rates heretofore established shall apply. The city reserves the right to assess a deficiency against any unmetered customer if it determines that the usage exceeded the amount that would have been assessed if metered service had been provided; the deficiency, if any, shall be determined by the first full month of metered usage after installation of a meter.

('78 Code, § 13.24.130) (Ord. 338, passed - -73; Am. Ord. 663, passed - -87; Am. Ord. 667, passed - -87)

§ 13.24.135 ACCOUNTS.

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

(B) 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 the 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 showing total gallons received at the wastewater plant for the current fiscal year;
- (3) Number of users connected to the system;
- (4) Number of nonmetered users.

('78 Code, § 13.24.135) (Ord. 700, passed - -88)

§ 13.24.136 NOTICE OF RATES.

Each user will be notified by the city, in conjunction with a regular bill, of the rate and that portion of the user charges of ad valorem taxes which are attributable to wastewater treatment services, including the financial information of § 13.24.135.

('78 Code, § 13.24.136) (Ord. 700, passed - -88)

§ 13.24.140 PENALTY FOR FAILURE TO COMPLY WITH §§ 13.24.010 THROUGH 13.24.130.

Failure of any customer, prospective customer or user to fully comply with §§ 13.24.010 through 13.24.130 shall justify a refusal or termination of water or sewage treatment service to that user, but termination or subsequent restoration of service shall be done in the following manner:

(A) When the City of Crest Hill becomes aware of any violation of any of the above sections, including default on a water or sewer bill, the City of Crest Hill shall send a notice by U.S. Mail, to the user at his last known address. If the only address known to the Clerk is the address where the service is being used, the City of Crest Hill shall send the notice by U.S. Mail to that address. If the City of Crest Hill becomes aware that the notice has not reached the user within seven days after it was mailed, the City of Crest Hill may but is not required to cause a designated city employee to personally serve the notice on the user at the address where the services are being used. If, in the exercise of due diligence, the designated employee cannot serve the notice on the user, the employee may post the notice conspicuously on the premises. Three attempts to personally serve the notice shall be conclusively presumed to be sufficient exercise of due diligence.

(B) The notice shall be in the following form:

NOTICE OF PENALTY-WATER AND SEWER RATES

You are hereby notified that you have failed to comply with Chapter 13.24 of the Crest Hill Municipal Code relating to payment of water or sewer rates in the following particulars: _____

_____ (Here detail what violation the user has committed, such as, default on a water bill, unmetered use of water, and the like)

You may comply with the provisions of Chapter 13.24 by doing the following: _____

_____ (Here detail what the user must do to be in compliance including payment of all water or sewer bills, payment of penalties, payment of a security deposit, and the like)

If you do not comply within ten days of the date of this Notice, the City of Crest Hill will terminate your water and sewer service without further notice to you.

If your water and sewerage service is terminated, it will not be renewed unless you have fully complied, which compliance includes payment of all water bills now due, payment of any penalties, payment of a \$25 fee for the shut-off, and payment of a \$25 fee for restoration of service. All compliance shall be performed at the City of Crest Hill, City Hall, 1610 Plainfield Road, Crest Hill, Illinois.

Any customer disputing the correctness of his bill shall have the right to a hearing at which time he may be represented in person and by counsel or any other person of his choosing and may present orally or in writing his complaint and contentions to the city official in charge of utility billing. This official shall be authorized to order that the customer's service not be discontinued and shall have the authority to make a final determination of the customer's complaint.

Date: _____

(C) The City of Crest Hill shall retain a copy of the notice specified above and said copy shall be prima facie evidence that the customer was served with notice. The city employee who makes said service personally shall complete the following form:

CERTIFICATE OF SERVICE

I, _____, who am employed by the City of Crest Hill in the position of _____ certify that I served the attached Notice upon (User's Name) at users' address at _____ (User's Address), by (personal service or posting). If the notice was served by posting, I certify that I diligently attempted to serve the user personally at the above address, but was unable to locate the user there.

(Signed) _____
Employee

Date: _____

(D) Upon the expiration of ten days after service of the notice, the City of Crest Hill shall direct the appropriate authorities to terminate water (and, if possible, sewer).

(E) Upon compliance by the user, including payment of all penalties, including a \$50 fee for restoration of services, and the currently required security deposit, the City of Crest Hill shall direct the appropriate authorities to restore water and sewer service to the user.
(‘78 Code, § 13.24.140) (Ord. 338, passed - -73; Am. ord. 542, passed - -81; Am. Ord. 569, passed - -82; Am. Ord. 754, passed - -90; Am. Ord. 1039, passed 10-6-97; Am. Ord. 1435, passed 9-4-07)

§ 13.24.150 ACCESS TO RECORDS.

The IEPA, USEPA or its authorized representative shall have access to any books, documents, papers and records of the city which are applicable to the city system of user charges or industrial cost recovery for the purposes of making audit, examination, excerpts and transcriptions thereof to insure compliance with the terms of the (Special and General Conditions to any State Grant) and/or (Federal Regulations and Conditions of the Federal Grant).
(‘78 Code, § 13.24.150) (Ord. 700, passed - -88)

**CHAPTER 13.26: INSURANCE REQUIREMENTS, PERMITS, FEES, AND
PENALTIES RELATING TO WORK PERFORMED ON OR AROUND THE
CITY'S WATER OR SEWER LINES**

Section:

- 13.26.010 Definitions
- 13.26.020 Permit required
- 13.26.030 Permit fees
- 13.26.035 Insurance required for permit
- 13.26.036 Individual homeowner exemption
- 13.26.040 Protection of the waterworks and sewage works from damage
- 13.26.045 Cost of water lost
- 13.26.050 Tap-on to water works
- 13.26.060 Permit revocation
- 13.26.070 Penalty
- 13.26.080 Construction with other ordinances

§ 13.26.010 DEFINITIONS.

Any and all definitions contained in §§ 13.08.010 and 13.08.017 that are relevant to any section of this chapter is expressly incorporated herein by this reference as if they had been fully set forth herein.

Additionally, **PERSON** as and herein means any individual, corporation, partnership, sole proprietorship, limited liability company or partnership, contractor, and any other form of business entity. (Ord. 988, passed 5-6-96)

§ 13.26.020 PERMIT REQUIRED.

It shall be unlawful for any person to enter upon any and all city property including but not limited to easements, rights-of-ways and the like, which contain a city water and/or sewer line for the purpose of performing thereon any construction, alteration, excavation or other improvement without obtaining a permit as set forth hereinafter.

(Ord. 988, passed 5-6-96; Am. Ord. 1069, passed 10-19-98)

§ 13.26.030 PERMIT FEES.

A permit is required for the entry upon city property as set forth in § 13.26.020. The annual fee for such a permit shall be \$250. Application for such permit shall be on a form as prescribed by the duly acting Superintendent of Public Works of the city, and must be obtained 48 hours prior to the entry upon city property.

(Ord. 988, passed 5-6-96)

§ 13.26.035 INSURANCE REQUIRED FOR PERMIT.

No permit shall be issued as required by § 13.26.020, unless a certificate of insurance or other proof is filed with the application required under § 13.26.030, showing that the person carries public liability insurance with the following limits:

\$1,000,000.00	Each Person
\$2,000,000.00	Bodily Injury Liability
\$ 500,000.00	Property Damage

The certificate or other proof shall clearly indicate that the city Hill has been named an additional insured.

(Ord. 988, passed 5-6-96)

§ 13.26.036 INDIVIDUAL HOMEOWNER EXEMPTION.

The provisions of § 13.26.035 shall not apply to an individual homeowner who is performing such acts that would require a permit under the terms of this chapter upon his own real estate. However, if in the event that the individual homeowner sub-contracts for any of the work to be performed, except for the delivery of materials, any such sub-contractor retained by the homeowner is not exempt from the requirements of § 13.26.035 despite the homeowners exemption therefrom. Additionally, the permit fee required in § 13.26.030 shall be refunded to an individual homeowner who is exempt as stated above upon proper completion of the work and inspection of and approval of the work performed by the Director of Public Works.

(Ord. 1069, passed 10-19-98)

§ 13.26.040 PROTECTION OF THE WATERWORKS AND SEWAGE WORKS FROM DAMAGE.

No person shall maliciously, wilfully or negligently break, damage, destroy, alter or tamper with any structure, line, appurtenance, or equipment which is a part of the city sewage works and/or the city water works. Any person violating this section shall be civilly liable to the city for all damages incurred by the city, including the wages of the city personnel required to be used to correct the damages.

(Ord. 988, passed 5-6-96)

§ 13.26.045 COST OF WATER LOST.

In the event of a violation of § 13.26.040 which results in the loss of water from the city water works, said violator shall also be civilly liable to the city for the cost of the water lost based on the calculations of the duly acting Superintendent of Public Works. In no event, the cost of the water shall not be less than \$500.

(Ord. 988, passed 5-6-96)

§ 13.26.050 TAP-ON TO WATER WORKS.

No person shall tap-in to the city's water works, or any portion thereof, without providing 48 hours written notice of this intention to do so to the Superintendent of Public Works. Further, no person shall

tap-in to the city's water works, or any portion thereof, unless the tap-on procedure is supervised by the Superintendent of Public Works or his designee.
(Ord. 988, passed 5-6-96)

§ 13.26.060 PERMIT REVOCATION.

Any permit issued to satisfy the requirements of § 13.26.020 as stated above, may be revoked by the Superintendent of Public Works, the Mayor of the city, or the City Engineer for violation of any ordinance relating to the work performed by such person. The revocation shall not affect the right of the city to recover damages civilly as set forth above, or to seek to impose a fine based on an ordinance violation as set forth below.
(Ord. 988, passed 5-6-96)

§ 13.26.070 PENALTY.

Whoever violates any provision of Chapter 13.26 of the Crest Hill Code of Ordinances shall be fined \$750 for each offense, and each day a violation occurs shall be deemed to be a separate offense.

§ 13.26.080 CONSTRUCTION WITH OTHER ORDINANCES.

The provisions of this chapter do not vary the terms of any other ordinance regarding contractor licensing or registration, rather it is to be construed as additional requirements to be met for contractors performing work on city property.
(Ord. 988, passed 5-6-96)

CHAPTER 13.28: ENFORCEMENT

Section

13.28.010 Duty of officers

§ 13.28.010 DUTY OF OFFICERS.

It shall be the duty of the Director of Public Works or his/her designee and the Plumbing Inspector to enforce the provisions of this title.

('78 Code, § 13.28.010) (Ord. 196, passed - -67; Am. Ord. 1637, passed 8-5-13)

