

CHAPTER 171: PUBLIC WORKS REGULATIONS

Section

171.01	Waterworks and sewerage treatment
171.02	Sewer use
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§ 171.01 WATERWORKS AND SEWERAGE TREATMENT.

(A) *Department established.* An executive department of the Village, known as the "Waterworks and Sewerage Department" is established. The President and the Board of Trustees of the Village are authorized to appoint a Superintendent of the Waterworks and Sewerage Department and all other necessary employees. The Superintendent shall have the general management and control of the Waterworks and Sewerage System, subject, however, to the supervision of the President and Board of Trustees.

(B) *Sewer connection required.* All property owners within the Village limits are required to connect to the Sanitary Sewerage System.

(C) *Connection fees; exceptions.* Applicants for service, either within or outside the corporate limits, in addition to the cost of approved installation, shall pay connection fees in the amount of \$250 for sewer service and \$250 for water service for each unit in any building. A \$200 cash performance bond must be deposited with the Water and Sewer Department prior to the installation of a water service line and/or sewer service line. This bond shall be returned to the applicant upon the satisfactory completion of the service line hookup and inspection and approval by the duly authorized representative of the Village.

(D) *Water service deposit.*

(1) Any user of water services from the Village subscribing for services after the effective date of this section, shall be required to deposit with the Water Department of the Village the sum \$100 for each water service subscribed by the user. This sum shall be held by The Village of Hanna City during the continuance of the water service in an escrow account for the water customer.

(2) Upon termination of water service, the deposit shall be refunded to the user after deduction of any unpaid charges accumulated for the water service which is being terminated.

(3) The deposit shall be in addition to all water charges and connection fees assessed by the Village.

(4) The deposit shall not be applied against any unpaid water charges during the continuance of water service, but only upon the termination of service. Delinquent charges and shut-off provisions of the Village for unpaid water bills shall remain in full force and effect.

(5) Garbage collection fee will be charged to every residential water customer.

(E) *Rates.* The fixed rates or charges for the use of, and for the service supplied by, the combined Waterworks and Sewerage System of the Village, based upon the amount of water consumed as shown by the water meters, are as follows:

MONTHLY WATER SERVICE CHARGES

\$7.44 per 1,000 gallons of water consumed for the first 4,000 gallons

\$4.62 per 1,000 gallons of water consumed for the next 5,000 gallons

\$4.38 per 1,000 gallons of water consumed for the next 5,000 gallons

\$3.66 per 1,000 gallons of water consumed for the next 5,000 gallons

\$2.40 per 1,000 gallons of water consumed over 19,000 gallons

The Minimum Water Fee shall be \$18.00 per month, unless the property owner requests a temporary stoppage of water service and water service and usage have in fact been stopped.

The Minimum Sewer Fee shall be \$20.00 per month for the first 2,400 gallons of water used, then an additional charge of \$0.35 per each 100 gallons of water used up to 10,000 gallons, then \$0.12 per 100 gallons of water used over 10,000 gallons. The sewer fee shall be charged every month that the property is connected to the Village sewer system, unless a waiver of said fees is requested by the property owner where the property owner has also requested a temporary stoppage of water service to the property and water service and usage have in fact been stopped.

The minimum charge for water and sewer combined services shall be \$38.00 per month.

Multiple units: If more than one living unit and/or using unit are served by a single metered connection to the system, then each un-metered living unit and/or using unit shall pay a sewer charge of \$20.00 and a single meter convenience fee of \$5.00 per unit regardless of occupancy in addition to the usual monthly service charges for water use per the single meter.

Fire hydrant rental: An annual minimum charge of \$1,650 or at the rate of \$82.50 per hydrant, whichever is greater. The charges are to be made against the Village and paid to the Water and Sewer Fund in equal monthly installments.

Nonresidential users: Nonresidential users located outside the corporate limits of the Village shall be charged for water use according to the following schedule:

\$11.40 per 1,000 gallons water consumed for the first 4,000 gallons

\$7.56 per 1,000 gallons water consumed for the next 5,000 gallons

\$6.78 per 1,000 gallons water consumed for the next 5,000 gallons

\$5.70 per 1,000 gallons water consumed for the next 5,000 gallons

\$3.78 per 1,000 gallons water consumed over 19,000 gallons

The minimum charge for water service shall be \$34.80 per month.

The sewer only fee shall be \$34.00 per month.

The minimum charge for combined water and sewer services shall be \$68.80 per month.

New Home Construction: The Village of Hanna City will allow a onetime credit of 1000 gallons of water to a customer's account once the house is connected to the Village water service.

Sprinkler system service: Residential customers requiring a separate water meter for a fire protection sprinkler system or lawn irrigation system use shall be charged a minimum sum of \$6.00 per month. Sewer use charge for the amount of water used for the sprinkler or irrigation will be refunded to the account.

Swimming Pool: At the request of a customer, a sewer credit for the amount of gallons of water used to fill a pool will be given 1 time per year. Customer must call the Village Water Dept before beginning to fill so that a meter can be read and again when finished. Customers will get credit for their residence only.

Sprinkler system service: Non-Residential customers requiring a separate water meter or water line for a fire protection sprinkler system or lawn irrigation system use shall be charged a minimum sum of \$6.00 per month. Amounts over that volume will be charged at regular rates. Sewer use rate for the amount of water used for the sprinkler or irrigation will be refunded to the account.

(F) *Payment.* The rates or charges for service shall be payable monthly, on the first day of the month. The owner of the premises, the occupant and the user of the service shall be jointly and severally liable for the service on the premises and the service is furnished to the premises by the Village only upon the condition that the owner of the premises, occupant and user of the service are jointly and severally liable to the Village. All bills for service shall be rendered monthly as of the first day of the month succeeding the period for which the service is billed and shall be payable not later than the close of business on the tenth day of the same month. If payment of the full amount of the bill is not made within this period, then a penalty of 10% of the amount of the bill shall be added to the bill. The water clerk shall give the owner or tenant or both, as the case may be, written notice of the delinquency providing in said notice that water service will be disconnected if the total delinquency is not paid by a certain date specified in the notice, which date shall be at least ten (10) days after the date of the notice, and affording the delinquent customer an opportunity to be heard if he wishes to contest the delinquency, which hearing shall be afforded prior to any disconnection of water service. Disconnection shall be at least two (2) days after the date set for the hearing, and shall be after the expiration of the ten (10) days after the date of the notice.

(1) Non-Sufficient Funds (NSF): Customer will be charged \$25.00, for any check that is returned for non-sufficient funds. After the Village has received notice of a second returned check for non-sufficient funds, the account holder will no longer be allowed to make payments by check and will be required to make payments in the form of cash, money order, or cashier's check to the Village.

(G) *Delinquent charges.* In the event the charges for services are not paid within 30 days after rendition of the bill for service, the charges shall be deemed delinquent. Thereafter, delinquencies shall constitute liens upon the real estate for which service is supplied and the Clerk is authorized and directed to file sworn statements showing delinquencies in the office of the

Recorder of Deeds of Peoria County, Illinois. The filing of the statements shall be deemed notice for the payment of the charges for service.

(H) *Discontinuation for nonpayment.* If the charges for services are not paid within 30 days after the date of the bill, the services shall be discontinued without further notice and shall not be reinstated until all past due bills, including the penalties, are paid in full, together with payment of \$25.00 for discontinuation and \$25.00 for reinstatement of service for first time. The second time service is discontinued for nonpayment, the charges shall be increased to \$40.00 for discontinuation and \$40.00 for reinstatement of service. The third time or greater service is discontinued for nonpayment the charges shall be increased to \$75.00 for discontinuation and \$75.00 for reinstatement of service. The Customer will continue to pay higher discontinuation and reinstatement fees till the Customer has gone 12 months without a discontinuation for nonpayment. An additional charge of \$15.00, beyond the above-listed charges, will be assessed for reinstatement of services if an employee must be called into work after regular hours or on weekends to perform these duties.

DISCONNECTION FOR FAILURE TO PAY: In addition to the other remedies contained in this Chapter, if the balance due for such service is not paid within thirty (30) days after the mailing of the bill for such services, any and all owner(s) of record for the property to which service was rendered shall receive a copy of this Section and a NOTICE OF INTENDED WATER DISCONNECTION via U.S. Mail. The customer shall have seven (7) days from the date of such Notice to request an opportunity to present his, her or its case to the Village Board as to why water service should not be disconnected. After the expiration of such seven (7) day period, if no request has been made, then the Village may place a lien on the property and institute foreclosure proceedings as provided as provided under certain provisions of the Illinois Mortgage Foreclosure Law, 735 ILCS 5/15-1101 *et seq.*, (hereinafter referred to as "IMFL") or any other applicable law as may be enacted from time to time by the Legislature of the State of Illinois. In the event the Village prevails in such mortgage foreclosure action, the owner(s) of record shall be jointly and severally liable for interest accrued on the unpaid balance in the amount of five percent (5%) per annum, and any and all costs of suit, including attorneys fees, court costs, appraisal fees, title insurance or abstract costs, broker fees and other reasonable expenses incurred in obtaining payment of the balance due.

(I) *Water Department to render bills.* The Water Department of the Village shall render bills for service and for all rates and charges in connection with service and shall collect all payments.

(J) *Revenues held by Water Department.* All revenues and money derived from the operation of the combined Waterworks and Sewerage System shall be held by the Village.

(K) *Waterworks and Sewerage Fund.* The Village Treasurer shall receive all revenues from the combined Waterworks and Sewerage System and all other funds and money incident to the operation of the system as may be delivered to him or her. The Treasurer shall deposit these revenues in a separate fund designated as the "Waterworks and Sewerage Fund of the Village of Hanna City" and shall administer the Fund in every respect in the manner provided by law.

(L) *Records.* The Village Treasurer shall establish a proper system of accounts and shall keep proper books, records and accounts in which complete and correct entries shall be made of all transactions relative to the combined Waterworks and Sewerage System. At regular annual intervals, the Treasurer shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the combined Waterworks and Sewerage System.

(M) *Village to install meters.* The Village reserves the right to install meters in existing or future water connections. Where meters are installed, the Village will pay for the cost of the meter and its installation.

(N) *General regulations.*

(1) No person not duly authorized shall turn the water on at any fire hydrant or service cock or use water from these facilities. Any person using or wasting water in this unlawful manner shall be liable to pay a penalty as provided for in this Code.

(2) No storm water, surface water, groundwater, roof runoff, surface drainage, uncontaminated cooling water or unpolluted industrial process water shall be discharged to the sanitary sewer. In addition, no sump pumps or downspouts shall be connected to the sanitary sewer. The Village and its employees shall have access at all reasonable times to the premises, places or buildings where sewer service is supplied, for the purpose of examining and testing any connections to, and use of, the sanitary sewer.

(3) Each user of water service shall be forbidden to connect any portion of his or her existing private system to any service line connected to the Waterworks System.

(4) In all cases where service is connected directly to boilers or other hot water fixtures that are likely to cause a back water pressure, a check valve must be installed on the service pipe to prevent injury to meters. All damages caused to meters by back pressure shall be paid for by the consumer where the damages occur.

(5) Any person responsible for violating any of these general regulations shall be subject to a fine in an amount not exceeding \$100 for each violation. Each day during which a violation shall continue shall be deemed a separate offense.

(6) The Village shall have the right to discontinue water and/or sewer system use in case of violation of any of these general regulations.

(O) *Village not liable.* All connections and water and sewer service applied for, and all water and sewer service used, shall be upon the express condition that the Village shall not be liable, nor shall any claim be made against it, for damages or injury caused by the breaking of any main, branches, service pipes, apparatus or appurtenances connected with the system or plant, or any portion of the plant, or for any interruption of the supply by the breakage of machinery, stoppage, alterations, extensions or renewals.

(P) *Access to premises.* The Village and its employees shall have ready access at all reasonable times to the premises, places or buildings where water or sewer service is supplied for the purpose of examining and testing the consumption, use and flow of water. It shall be unlawful for any person or corporation to interfere with, prevent or obstruct the Village or its duly authorized agent in its duties. Every consumer of water or user of sewer service shall accept the service upon the conditions prescribed in this section.

(Q) *File with County Recorder.* A copy of this section, properly certified by the Village Clerk, shall be filed with the County Clerk and shall be deemed as notice to all owners of real estate

of their liability for service supplied to any user of the service of the combined Waterworks and Sewerage System of the Village or their properties.

(R) *Discontinuation and reinstatement of water services.* A charge shall be made of \$5 each for any discontinuation or reinstatement of water service requested by the user. In the event that either shut off or turn on of water service is required and performed at a time other than regular hours of employees of the Village, the charge shall be \$10.

§ 171.02 SEWER USE.

(A) *Definitions.* Unless the context specifically indicates otherwise, the meaning of the terms used in this section and § 171.03 shall be as follows:

Federal Government

ADMINISTRATOR. The Administrator of the U.S. Environmental Protection Agency.

FEDERAL ACT. The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.) as amended by the Federal Water Pollution Control Amendments of 1972, Pub. L. 92-500 and Pub. L. 93-243.

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

State Government

DIRECTOR. The Director of the Illinois Environmental Protection Agency. STATE ACT. The Illinois Anti-Pollution Bond Act of 1970.

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

Local Government

AUTHORITY or **APPROVING AUTHORITY.** The Hanna City Sanitary District and/or the Village of Hanna City.

ORDINANCE. The provisions set forth in these sections.

General

INSPECTOR. The person or persons duly authorized by the authority to inspect and approve the installation of building sewers and their connection to the public sewer system.

PERSON. Any and all persons, natural or artificial, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity discharging any wastewater to the wastewater treatment works.

PUBLIC AUTHORITY. Any governmental agency having jurisdiction by law over construction and use of a wastewater collection or treatment facility.

SUPERINTENDENT. The Superintendent of the Hanna City Sanitary District or his or her authorized deputy, agent or representative.

NPDES PERMIT. Any permit or equivalent document or requirements issued by the Administrator or appropriated by the Director, after enactment of the Federal Water Pollution Control Amendments of 1972, to regulate the discharge of pollutants pursuant to section 402 of the Federal Act.

Clarification of Word Usage

SHALL. Is mandatory.

MAY. Is permissible.

Wastewater and its Characteristics

BIOCHEMICAL OXYGEN DEMAND (BOD). The quantity of oxygen, expressed in milligrams per liter (mg/l), utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five days at 20. C.

COMBINED SEWAGE. A combination of both sanitary and industrial wastewater and storm or surface water.

COMPATIBLE POLLUTANT. A pollutant for which the treatment works is designed to treat, including biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, or a pollutant which the plant is able to remove to a substantial degree - 80% or greater.

EFFLUENT CRITERIA. Defined in any applicable NPDES Permit.

FECAL COLIFORM. Any number of organisms common to the intestinal tract of man and animals, which presence in sanitary sewage is an indicator of pollution.

FLOATABLE OIL. Oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in a pre-treatment facility approved by the authority.

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

INCOMPATIBLE POLLUTANT. Any pollutant that is not defined as a compatible pollutant, including non-biodegradable dissolved solids.

INDUSTRIAL WASTES. The liquid wastes from industrial process, as distinct from sanitary sewage.

MAJOR CONTRIBUTING INDUSTRY. An industry that (a) has a flow of 50,000 gallons or more per average work day; or (b) has a flow greater than 5% of the flow carried by the public sewer system receiving the waste; or (c) has in its waste a toxic pollutant in toxic amounts as defined in standards issued under section 307(a) of PL 92-500; or (d) has a significant impact, either singly or in combination with other contributing industries, on a treatment works or on the quality of effluent from that treatment works.

MILLIGRAMS PER LITER. A unit of the concentration of water or wastewater constituent. It is 0.001 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.

NORMAL DOMESTIC SEWAGE. As defined for the purposes of determining surcharge, a wastewater or sewage having an average daily suspended solids concentration of not more than 250 mg/l and average daily BOD of not more than 200 mg/l.

pH. The reciprocal of the logarithm of the hydrogen ion concentration. The concentration is the weight of hydrogen ions in grams per liter of solution. The pH of any discharge into the public sewer system shall not be less than 5.5 nor more than 9.5.

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 0.22 pounds of suspended solids.

ppm. Parts per million by weight.

PROPERLY SHREDDED GARBAGE. The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under flow conditions normally prevailing in public sewers, with no particle greater than 1" in any dimension.

SEWAGE. The combination of liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions. The three most common types of sewage are as follows:

"Sanitary Sewage." The combination of liquid and water-carried wastes discharged from toilet and other sanitary plumbing facilities.

"Industrial Sewage." A combination of liquid and water-carried wastes, discharged from any industrial establishment, and resulting from any trade or process carried on in that establishment, including wastes from pre-treatment facilities and polluted cooling water.

"Combined Sewage." Wastes including sanitary sewage, industrial sewage, stormwater, infiltration and inflow carried to the wastewater treatment facilities by a combined sewer.

SLUG. Any discharge of water or wastewater which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than 60 minutes, more

than 2.5 times the average 24-hour concentration or flows during normal operation and which shall adversely affect the collection system.

STANDARD METHODS. The laboratory procedures set forth in the latest edition, at the time of analysis, of "Standard Methods for Examination of Water and Wastewater" prepared and published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

SUSPENDED SOLIDS. The solids that either float on the surface of, or are in suspension in, water, sewage or other liquids and which are removable by laboratory filtering.

TOTAL SOLIDS. The sum of suspended and dissolved solids.

TOXIC AMOUNT. The concentration of any pollutant or combination of pollutants which upon exposure to or assimilation into any organism, will cause an adverse effect, such as cancer, genetic mutations and physiological manifestations as defined in standards issued pursuant to section 307(a) of PL 92-500.

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

VOLATILE ORGANIC MATTER. The material in the sewage solids transformed to gases or vapors when heated to 550' C. for 15 to 20 minutes.

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.

WATER QUALITY STANDARDS. Defined in the Water Pollution Regulations of Illinois.

Sewer Types and Appurtenances

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

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

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

EASEMENT. An acquired legal right for the specific use of land owned by others.
PRIVATE SEWER. A sewer which is not owned by a public authority.

LIVING UNIT. Any residential unit of one or more rooms serviced by a kitchen and a bathroom consisting of a toilet, sink and bathtub, or shower, or combination thereof.

PUBLIC SEWER. A sewer provided by or subject to the jurisdiction of the District or the Village of Hanna City, even though those sewers may not have been constructed with District funds.

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

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

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

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

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

USING UNIT. Any residential unit of one or more rooms serviced by a bathroom consisting of a toilet, sink and bathtub, or shower, or combination thereof.

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 authority representative to sample and/or measure discharges.

Treatment

PRE-TREATMENT. The treatment of wastewater from sources before introduction into the wastewater treatment works.

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

Wastewater Facilities

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

Watercourse and Connections

NATURAL OUTLET. Any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

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

User Types

CLASSES OF USERS. The division of wastewater treatment customers by waste characteristics and process or discharge similarities.

INDUSTRIAL USER. Any non-governmental user of publicly-owned treatment works identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions:

Division A - Agriculture, Forestry and Fishing

Division B - Mining

Division D - Manufacturing

Division E - Transportation, Communications, Electric, Gas and Sanitary Services Division

I - Services

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

RESIDENTIAL, COMMERCIAL or NON-INDUSTRIAL USER. Any user of the treatment works not classified as an industrial user or excluded as an industrial user as provided for in this section.

Types of Charges

BASIC USER CHARGE. The basic assessment levied on all users of the public sewer system in accordance with the provisions outlined in § 171.01.

DEPRECIATION. An annual operating cost reflecting capital consumption and obsolescence of the treatment works.

INDUSTRIAL COST RECOVERY. Recovery from the industrial users of a treatment works of the grant amount allocable to treatment of wastes from users, exclusive of interest.

INDUSTRIAL COST RECOVERY PERIOD. That period during which the grant amount allocable to the treatment of wastes from industrial users is recovered from the industrial users of the works. The industrial cost recovery period shall be equal to 30 years or the useful life of the treatment works, whichever is less, as determined by the authority.

METERED USAGE. The metered water usage of any individual customer, unless separate metering of sewage flow is provided for the customer, in which case it shall mean metered sewage flow of any individual customer.

OPERATION AND MAINTENANCE COSTS. All costs, direct and indirect, necessary to insure adequate wastewater treatment on a continuing basis in conformity with related Federal, State and local requirements and to assure optimal long-term facility management.

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

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

SIGNIFICANT INDUSTRY. Any industry that will contribute greater than 10% of the design flow and/or design pollutant loading of the treatment works.

SURCHARGE. The assessment in addition to the basic user charge which is levied on those "persons whose wastes are greater in strength than the concentration values established in this section under "wastewater user charges."

USEFUL LIFE. The estimated period during which the collection system and/or treatment works will be operated, which shall be 30 years from the date of start-up of any wastewater facilities constructed with a State grant.

USER CHARGE. A charge levied on users of treatment works for the cost of operation and maintenance.

WASTEWATER SERVICE CHARGE. The charge per month levied on all users of the wastewater facilities. The service charge shall be in accordance with the provisions outlined under "wastewater user charges" in this section and shall consist of the total of the basic user charge plus a surcharge, if applicable.

(B) Use of public sewers required.

(1) It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property in any area under the jurisdiction of the authority, any human or animal excrement, garbage, objectionable waste, wastewater or other polluted waters, which ordinarily would be regarded as sewage or industrial wastes, except where suitable treatment has been provided in accordance with the provisions of this section and the NPDES permit.

(2) No person shall discharge or cause to be discharged to any natural outlet, under the jurisdiction of the authority, any wastewater or other polluted waters except where suitable treatment has been provided in accordance with the provisions of this section and the NPDES permit.

(3) Except as provided, no person shall construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of wastewater.

(4) The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the jurisdiction of the authority and abutting any street, alley or right-of-way in which there is now located or may in the future be located any public sewer of the authority, is required at his expense to install suitable sanitary facilities, and to connect the facilities directly with the proper public sewer in accordance with the provisions of this section, within 90 days after the date of official notice to do so, provided that the public sewer is within 200' of the property line.

(C) Private sewage disposal.

(1) Where a public sanitary sewer is not available under the provisions of paragraph (B) above, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this section.

(2) Before commencement of construction of a private sewage disposal system, each person shall first obtain a written permit signed by the authority. The application for the permit shall be made on a form furnished by the authority, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the approving authority. A minimum permit and inspection fee of \$25 shall be paid to the authority at the time the application is filed.

(3) A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the approving authority. The authority shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the approving authority when the work is ready for final inspection, before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of written notice by the approving authority.

(4) 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 with the State of Illinois Environmental Protection Agency. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 21,600 square feet (1,944 square meters). No septic tank or cesspool shall be permitted to discharge to any natural outlet.

(5) At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in paragraph (B)(4), a direct connection shall be made to the public sewer in compliance with this section, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

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

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

(8) When a public sewer becomes available, the building sewer shall be connected to the sewer within 90 days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

(D) Building sewers and connections.

(1) No unauthorized person shall uncover, make any connections with or openings into, use, alter or disturb any public sewer or appurtenances without first obtaining a written permit from the clerk of the authority.

(2) Before a permit may be issued for excavating for plumbing in any public street, way

or alley, the person applying for the permit shall have executed to the authority and deposited with the clerk of the authority a corporate surety in the sum of \$2,000, assuring that he will perform faithfully all work with due care and diligence and in accordance with the laws, rules and regulations established by the authority or any local, State and Federal laws, codes or ordinances pertaining to plumbing. This bond shall state that the person will indemnify and save harmless the authority and the owner of the premises against all damages, costs, expenses, outlays and claims of every nature and kind arising out of unskillfulness or negligence on his or her part in connection with plumbing or excavation for plumbing as prescribed in this section. The bond shall remain in force and must be executed for a period of one year except that on its expiration, it shall remain in force as to all penalties, claims and demands that may have accrued prior to its expiration.

(3) 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.

(4) There shall be five types of building permits as follows:

- (a) For single family residential dwelling units and commercial service;
- (b) For multi-family residential dwelling units;
- (c) For service to establishments producing industrial wastes;
- (d) For the institutional class of users;
- (e) For service to the governmental class of users.

In any case, the owner or his or her agent shall make application on a special form furnished by the authority. The permit applications shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the authority. For the industrial class of users, the application shall provide information describing its wastewater constituents, characteristics and type of activity.

(5) At the time of filing a building sewer permit application, a permit and inspection fee shall be paid to the clerk of the authority in accordance with the following schedule for the respective type of building sewer permit:

<i>Type</i>	<i>Amount</i>
a. Single-family residential	\$250 per building sewer and commercial service
b. Multi-family residential	\$500 for every 5 dwelling units or fractional part
c. Industrial	\$500 per building sewer
d. Institutional	\$400 per building sewer
e. Governmental	\$300 per building sewer

For a period of 30 days after the passage of this section, the permit and inspection fee shall be one-tenth of the fee for each respective type of building sewer permit given under this section.

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

(7) The applicant for sewer service shall pay all costs and expenses incidental to the installation and connection of the building sewer, as well as maintenance, from the point of connection to the public sewer of the authority, or to the collector sewer of the authority if located within the right-of-way of the authority, to the premises of the applicant. The owner and the person installing the building sewer for the owner shall indemnify the authority from any loss or damage that may directly or indirectly be occasioned by the installation.

(8) A separate and independent building sewer shall be provided for every building, except, where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the extension considered as the building sewer for the rear building. Multi-family dwelling units, including apartments and mobile home trailer parks, may use a single common building sewer for drainage of individual dwelling units.

(9) Old building sewers may be used in connection with new buildings only when they are found, upon examination and testing by the approving authority, to meet all requirements of this section.

(10) The building sewer shall be constructed of (a) extra heavy cast iron soil pipe and fittings meeting the current A.S.T.M. "Specifications for Extra Heavy Cast Iron Soil Pipe," or (b) ABS (Acrylonitrile-Butadiene-Styrene) extra strength solid wall pipe and fittings meeting the current A.S.T.M. "Specifications for ABS Extra Strength Solid Wall Pipe," or (c) PVD (Polyvinyl Chloride) schedule 40 pipe. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that vitrified clay pipe or ABS solid wall pipe meeting the above specification requirements may be accepted if laid on a suitable improved bed or cradle as approved by the authority.

(11) All joints and connections shall be made gastight and watertight. Vitrified clay sewer pipe shall be fitted with factory-made resilient compression joints meeting the current A.S.T.M. "Specifications for Vitrified Clay Pipe Joints Having Resilient Properties." Before joining the pipe in the trench, the bell and spigot surfaces shall be wiped free of dirt or other foreign matter. A lubricant or sealer as recommended by the pipe manufacturer shall be applied to the bell and spigot mating surfaces just before they are joined together. The spigot end shall be positioned into the bell end of the pipe previously laid and shall then be shoved home to compress the joint and to assure a tight fit between the interfaces. Joints for cast iron soil pipe shall be made by inserting a roll of hemp or jute and thoroughly caulking it into place and then following with pure molten lead, well caulked, not less than 1" deep. No paint, varnish or putty will be allowed in the joints until they have been tested and approved.

(12) The size and slope of building sewers shall be subject to the approval of the authority, but in no event shall the diameter be less than 4". The slope of the 4" pipe shall not be less than 1/8" per foot. A slope of 1/4" per foot shall be used wherever practical.

(13) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. The depth shall be sufficient to afford protection from frost. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the authority. Pipe laying and backfill shall be performed in accordance with current A.S.T.M. "Specification Designation C12," except that no backfill shall be placed until the work has been inspected by the authority or its representative.

(14) In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by the drains shall be lifted by approved artificial means and discharged to the building sewer. No water-operated sewage ejector shall be used.

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

(16) The connection of the building sewer into the public sewer shall conform to the requirements of the Building and Plumbing Codes, or other applicable rules and regulations of the authority, 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 connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the approving authority before installation.

(17) More specifically, the connection of a building sewer into the public sewer shall be made at a "Y" branch or "T" branch, if a branch is available at a suitable location. If the public sewer has no properly located "Y" or "T" branch available, the owner shall, at his or her expense, install a "Y" branch or a "Y" saddle fitting (for ABS truss pipe) at the location specified by the authority. Under no circumstances will the sewer service protrude into the sewer main to which the connection is made. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer. A smooth, neat joint shall be made and the connection made secure and watertight by encasement in concrete. Special fittings may be used for the connection only when approved by the authority. Manholes shall be constructed at any junction of an 8" diameter line or larger into a public sewer.

(18) The applicant for the building sewer permit shall notify the authority when the building is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the authority or its representative.

(19) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the authority.

(20) Any building sewer or connection located either along or across a highway under the jurisdiction of the Illinois Department of Transportation or the Peoria County Highway

Department shall first receive written approval from the highway authorities prior to initiation of the work.

(E) *Extensions of public sewers.*

(1) The authority shall be responsible for determining whether or not an extension of a public sewer is economically feasible based on the estimated cost of the extension and the number of existing potential users that will use the sewer line. If the extension is economically feasible, the authority may install and pay the cost of the extension at the discretion of the authority. If the authority elects not to pay the cost of extending the public sewer, then the person or persons desiring sewer service shall install the extension at their own personal expense upon written consent of the authority. The authority shall not pay for any extensions to an undeveloped area, such as a subdivision being developed, unless there are sufficient existing residents or businesses to make the extension economically feasible.

(2) The authority must approve all plans and specifications for any extensions. Before any extensions are installed, the plans and specifications must be reviewed and approved by the State of Illinois Environmental Protection Agency, Illinois Department of Transportation and the Peoria County Highway Department, as applicable, for extensions of sewers along or across highways within their respective jurisdictions.

(3) Ownership, right-of-way and title must be conveyed to the authority for all extensions installed by anyone other than the authority. The authority shall maintain the extended public sewers thereafter.

(4) No extension of the public sewer shall be permitted if, in the opinion of the authority, the system does not have the necessary capacity to serve the proposed extension.

(F) *Use of the public sewers.*

(1) No person shall discharge or cause to be discharged to any sanitary sewer, either directly or indirectly, stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, unpolluted water or unpolluted industrial process water. The authority shall require the removal of unpolluted waters from any wastewater collection or treatment facility if the removal is economical and in the best interests of all users of those facilities, as determined by the authority.

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

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

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

(b) Any water 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, or which constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.

(c) Any water 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.

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

(e) Wastes at a flow rate and/or pollutant discharge rate (slugs) which are excessive over relatively short time periods so that there is a treatment process upset and subsequent loss of treatment efficiency.

(4) Users of the treatment works shall immediately notify the authority of any unusual flows or wastes that are discharged accidentally or otherwise into the sewer system.

(5) 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 approving authority 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 or her opinion as to the acceptability of these waters, the approving authority will consider factors such as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant and maximum limits established by regulatory agencies. The following substances are prohibited:

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

(b) Any water 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' and 150' F. (0' and 65' C.).

(c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of 3/4 horsepower (.76 hp metric) or greater shall be subject to the review and approval of the approving authority.

(d) Any water or wastes containing strong acid, iron pickling wastes or concentrated plating solutions whether neutralized or not.

(e) Any water or wastes containing iron, chromium, copper, zinc or similar objectionable or toxic substances, or wastes exerting an excessive chlorine requirement, to such degree that any material received in the composite sewage at the sewage treatment works exceeds the limits established by the approving authority for these materials.

(f) Any water or wastes containing phenols or other taste- or odor-producing substances, in concentrations exceeding limits which may be established by the approving authority as necessary after treatment of the composite sewage, to meet the requirements of the State, Federal or other public agencies of jurisdiction for discharge to the receiving waters.

(g) Any radioactive wastes or isotopes of a half life or concentration which may exceed limits established by the approving authority in compliance with applicable State or Federal regulations.

(h) Any water or wastes having a pH in excess of 9.5.

(i) Any mercury or any of its compounds in excess of 0.0005 mg/l at any time except as permitted by the approving authority in compliance with applicable State and Federal regulations.

(j) Any cyanide in excess of 0.025 mg/l at any time except as permitted by the approving authority in compliance with applicable State and Federal regulations.

(k) Materials which exert or cause any of the following:

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

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

(3) unusual BOD, chemical oxygen demand or chlorine requirements in quantities which would constitute a significant load on the sewage treatment works;

(4) unusual volume of flow or concentrations of wastes constituting "slugs" as defined in this section.

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

(6) If any water or wastes are discharged or are proposed to be discharged to the public sewers, which contain the substances or possess the characteristics enumerated in subsection (4) above, and/ or which are in violation of the standards for pre-treatment provided in Chapter I, EP A Rules and Regulations, subchapter D, Water Programs, part 128 - Pre-treatment, Thursday, November 8, 1973, and any amendments to this subchapter, and which in the judgment of the approving authority may have a deleterious effect upon the sewage works, processes, equipment or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, the approving authority may do any of the following:

(a) Reject the wastes;

(b) Require pre-treatment 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 subsection (10) of this section.

If the approving authority permits the pre-treatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the approving authority, and subject to the requirements of all applicable codes, ordinances and laws.

(7) Grease, oil and sand interceptors or traps shall be provided when, in the opinion of the authority, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients, except that these interceptors or traps will not be required for private living quarters or dwelling units. All interceptors or traps shall be of a type and capacity approved by the authority and shall be located so as to be readily and easily accessible for cleaning and inspection. They will be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature and shall be of substantial construction, to be gastight, watertight and equipped with easily removable covers. Where installed, all grease, oil and sand interceptors or traps shall be maintained by the owner at his or her expense in continuously efficient operation at all times.

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

(9) The owner of any property serviced by a building sewer carrying industrial waste or other non-residential wastewater may be required by the authority to install a control manhole or other suitable structure together with any necessary meters and other appurtenances in the building to facilitate observation, sampling and measurement of the wastes. These structures, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the authority. The structures shall be installed by the owner at his or her expense and shall be maintained by him or her so as to be safe and accessible at all times.

(10) The authority may require users of the treatment works, other than residential users, to supply pertinent information on wastewater flow characteristics. Measurements, tests and analyses shall be made at the user's expense.

(11) The owner of any property serviced by a building sewer carrying industrial wastes shall provide laboratory measurements, tests and analyses of water and wastes to illustrate compliance with this section and any special conditions for discharge established by the authority or regulatory agencies having jurisdiction over the discharge. The number, type and frequency of laboratory analyses to be performed by the owner shall be as stipulated by the authority, but no less than once per year the industry must supply a complete analysis of the constituents of the wastewater discharge to assure compliance with the Federal, State and local standards. The owner shall report the results of measurements and laboratory analyses to the authority. The owner shall bear the expense of all measurements, analyses and reporting required by the authority. At any time deemed necessary, the authority reserves the right to take measurements and samples for analysis by an outside laboratory service. Appropriate charges for sampling and analysis may be assessed to the user at the option of the authority. The results of routine sampling and analysis by the user may also be used for determination of charges, after verification by the authority.

(12) All measurements, tests and analyses of the characteristics of water and wastes to which reference is made in this section shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole or other suitable structure 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 downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analysis involved will determine whether a 24-hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls, whereas pHs are determined from periodic grab samples.)

(13) No statement contained in this section shall be construed as preventing any special agreement or arrangements between the authority and any industrial concern where an industrial waste of unusual strength or character may be accepted by the authority for treatment. In all such cases, the provisions set forth in the sewage rate ordinance will be governing factors in any contracts.

(14) The admission into the public sewers of any water or wastes having harmful or objectionable characteristics shall be subject to the review and approval of the authority, who may prescribe limits on the strength and character of those waters and wastes. Where necessary, in the opinion of the authority, the owner shall provide at his or her expense whatever preliminary treatment may be necessary to treat those wastes prior to discharge to the public sewer. Plans, specifications and other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the authority and the Illinois Environmental Protection Agency or the Illinois Department of Public Health, and no construction of any facilities shall be commenced until approval is obtained in writing. Where preliminary treatment facilities are provided for any water or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his or her expense, and shall be subject to periodic inspection by the authority to determine that the facilities are being operated in conformance with applicable Federal, State and local laws and permits. The owner shall maintain operating records and submit to the authority a monthly summary report of the character of the influent and effluent to verify performance facilities against authority monitoring records.

(15) Pre-treatment of industrial wastes from major contributing industries prior to discharge to the treatment works is required and is subject to the rules and regulations adopted by the U.S. Environmental Protection Agency and published in the Federal Register on November 8, 1973 (38 CFR 30982), Federal Guidelines, dated October, 1973, any more stringent requirements established by the authority, and any subsequent Federal guidelines and rules and regulations.

(16) Industrial cooling water, which may be polluted with insoluble oils or grease or suspended solids, shall be pre-treated for removal of pollutants and the resultant clear water shall be discharged in accordance with subsection (5) of this section.

(17) Agents of the authority shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing of wastewater discharges and discharge facilities.

(18) Any persons violating the provisions of this section shall be subject to a penalty of \$100 per violation. Each day the violation continues shall constitute a separate and distinct offense.

(G) *Protection of sewage works from damage.* No unauthorized person shall maliciously, willfully or negligently break, damage, destroy or tamper with any structure, appurtenance or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

(H) *Powers and authority of inspectors.*

(1) The approving authority and other duly authorized employees of the authority, the Illinois Environmental Protection Agency and the U. S. Environmental Protection Agency, bearing proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this section. The approving authority or his or her 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 waterways or facilities for waste treatment.

(2) While performing the necessary work on private properties referred to in subsection (1) above, the approving authority or duly authorized employees of the authority, the Illinois Environmental Protection Agency and the U.S. Environmental Protection Agency shall observe all safety rules applicable to the premises established by the person, the person shall be held harmless for injury or death to the authority employees and the authority shall indemnify the person against loss or damage to its property by authority employees and against liability claims and demands for personal injury or property damage asserted against the person and growing out of the gauging and sampling operation, except as may be caused by negligence or failure of the person to maintain safe conditions as required in subsection (F)(9) above.

(3) The approving authority and other duly authorized employees of the authority bearing proper credentials and identification shall be permitted to enter all private properties through which the authority holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within the easement. All entry and subsequent work, if any, on the easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

(I) *Permit applications.* The building permit application forms may be obtained from the Hanna City Sanitary District or the Clerk of the Village of Hanna City. The appropriate building permit form, along with all supplementary material, as outlined in subsection (D)(4) above, must be returned to the authority, along with the permit and inspection fee, as outlined in subsection (D)(5) above.

§ 171.03 WASTEWATER USER CHARGES AND INDUSTRIAL COST RECOVERY.

(A) *Wastewater service charges.*

(1) *Basis for wastewater charges:* The wastewater charge for the use of, and for service supplied by, the wastewater facilities of the authority shall consist of the basic user rate for operation and maintenance, a minimum user charge and a surcharge, if applicable. The minimum user charge shall not be less than that computed by dividing the annual costs of authority administrative expenses and budgeted fixed costs, including depreciation, by the total number of users. Through further division (divide total by 12 months), the monthly minimum required user charge can be computed.

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

- (a) A 5-day, 20' C. BOD of 200 mg/l.
- (b) A suspended solids (SS) content of 250 mg/l.

It shall consist of operation and maintenance costs, replacement, depreciation, bond indebtedness or improvements and shall be not less than that computed as follows:

- (a) Estimate the projected annual revenue required to operate and maintain the wastewater facilities for all works categories.
- (b) Proportion the estimated costs to wastewater facility categories by volume suspended solids and BOD, if possible.
- (c) Estimate wastewater volume, pounds of SS and pounds of BOD to be treated.
- (d) Proportion the estimated costs to non-industrial and industrial users by volume, suspended solids and BOD.
- (e) Compute costs per 1,000 gallons for normal sewage strength.
- (f) Compute surcharge costs per 1,000 gallons per mg/l in excess of normal sewage strength for BOD and SS.

A surcharge will be levied to all users whose waters exceed the normal concentrations for BOD (200 mg/l) and SS (250 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 250 mg/l concentrations for BOD and SS respectively. Subsection (5) below specifies the procedure to compute a surcharge.

(2) *Measurement of flow.* The volume of flow used for computing basic user charges and surcharges shall be the metered water consumption read to the lowest even increment of 100 gallons.

(a) If the person discharging wastes into the public sewers procures any part, or all, of his water from sources other than the public waterworks system, all or a part of which is discharged into the public sewers, the person shall install and maintain, at his or her expense, water

meters of a type approved by the authority for the purpose of determining the volume of the water obtained from these other sources.

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

(c) Metering devices for determining the volume of waste shall be installed, owned and maintained by the person. Following approval and installation, the meters may not be removed, unless service is canceled, without the consent of the authority.

(3) *Basic user rate.* A minimum user charge and basic user rate for the use of and for service supplied by the wastewater facilities of the authority is established as follows: A minimum user charge of \$2.40 per month shall be applied to all users. A basic user rate of \$1.35 per 1,000 gallons shall be applied to all users.

(4) *Surcharge rate.* The rates of surcharges for BOD and SS shall be as follows:

(a) For BOD, a surcharge rate of \$0.003 per mg/l per 1,000 gallons shall be applied for waste strength in excess of 200 mg/l.

(b) For SS, a surcharge rate of \$0.0024 per mg/l per 1,000 gallons shall be applied for waste strength in excess of 250 mg/l.

(5) *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 may be deemed necessary by the authority and shall be binding as a basis for surcharges. The surcharge shall computed as follows:

(a) For BOD, multiply the surcharge rate by the strength of the waste in excess of 200 mg/l, then multiply this product by the total flow discharge per 1,000 gallons.

(b) For SS, multiply the surcharge rate by the strength of the waste in excess of 250 mg/l, then multiply this product by the total flow discharge per 1,000 gallons.

(6) *Computation of wastewater charge.* The wastewater charge shall be computed by the following formula:

$$W = M + (Vu \times UR) + S$$

Where W = Amount of wastewater charge (\$) per billing period

M = Minimum user charge for budgeted fixed costs (paragraph (A)(1))

Vu = Wastewater volume for the billing period divided by 1,000 gallons

UR = Basic user rate for budgeted proportional costs, such as operation, maintenance, replacement and depreciation (paragraph (A)(1)) per 1,000 gallons

S = Amount of surcharge (paragraph (A)(1))

(B) *Industrial waste cost recovery.* No industrial user may discharge sewage into any public sewer until the Hanna City Sanitary District and the Village have adopted an industrial cost recovery system which:

(1) Meets the requirements of section 204(b)(1)(B) of the Federal Water Pollution Control Act Amendments of 1972 and applicable Federal regulations; and

(2) Has been approved by the agency in accordance with the conditions of any grant made to the Hanna City Sanitary District by the United States Environmental Protection Agency or by the State for the construction of any part of the sewer system of the Village or wastewater treatment works of the Hanna City Sanitary District.

(C) *General provisions.*

(1) *Bills.* The rates or charges for service shall be payable monthly. The owner of the premises, the occupant and the user the service shall be jointly and severally liable to pay for the service to the premises and the service is furnished to the premises by the authority only upon the condition that the owner of the premises, occupant and user of the services are jointly and severally liable to the authority. Bills for sewer service shall be sent out by the authority treasurer on the first day of the month succeeding the period for which the service is billed. All sewer bills are due and payable 10 days after being sent out. A penalty of 10% shall be added to all bills not paid by the fifteenth day after they have been rendered.

(2) *Delinquent bills.* If the charges for service are not paid within 10 days after rendition of the bill for services, services shall be discontinued without further notice and shall not be reinstated until all claims are settled.

(3) *Lien; notice of delinquency.* Whenever a bill for sewer service remains unpaid for 20 days after it has been rendered, the authority treasurer shall file with the Peoria County Recorder of Deeds a statement of lien claim. This statement shall contain the legal description of the premises served, the amount of the unpaid bill and a notice that the authority claims a lien for this amount, as well as for all charges subsequent to the period covered by the bill. If the user whose bill is unpaid is not the owner of the premises and the authority treasurer has notice of this, notice shall be mailed to the owner of the premises if his or her address is known to the treasurer, whenever the bill remains unpaid for a period of 45 days after it has been rendered. The failure of the authority treasurer to record a lien or to mail the notice or the failure of the owner to receive the notice shall not affect the right to foreclose the lien for unpaid bills as stated in the following subsection.

(4) *Foreclosure of lien.* Property subject to a lien for unpaid charges shall be sold for non-payment and the proceeds of the sale shall be applied to pay the charges, after deducting costs, as in foreclosure of statutory liens. Foreclosure shall be by bill-in-equity in the name of the authority. The authority attorney is authorized and directed to institute proceedings in the name of the authority in any court having jurisdiction over these matters against any property for which the bill has remained unpaid for 45 days after it has been rendered.

(5) *Revenues.* All revenues and moneys derived from the operation of the sewerage system shall be deposited in the sewerage account of the sewerage fund. All revenues and moneys shall be held by the authority treasurer separate and apart from his private funds and separate and apart from all other funds of the authority, and all of these funds, without any deductions whatever,

shall be delivered to the authority treasurer not more than 10 days after receipt, or at whatever more frequent intervals may from time to time be directed by the Village and/or district boards.

The authority treasurer shall receive all revenues from the sewerage system and all other funds and moneys incident to the operation of the system as may be delivered to him or her and deposit these sums in the account of the fund designated as the "Sewerage Fund of the Authority." The treasurer shall administer the fund in every respect in the manner provided by Statute of the "Revised Cities and Villages Act," effective January, 1942.

(6) *Accounts.* The authority treasurer shall establish a proper system of accounts and shall keep proper books, records and accounts in which complete and correct entries shall be made of all transactions relative to the sewerage system. At regular annual intervals, he or she shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the sewerage system.

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

- (a) Flow data showing total gallons received at the wastewater plant for the current fiscal year.
- (b) Billing data to show total number of gallons billed.
- (c) Debt service for the next succeeding fiscal year.
- (d) Number of users connected to the system.
- (e) Number of non-metered users.
- (f) A list of users discharging non-domestic wastes (industrial users) and volume of waste discharged.

(7) *Notice of rates.* A copy of this section properly certified by the treasurer shall be filed in the office of the Recorder of Deeds of Peoria County and shall be deemed notice to all owners of real estate of the charges of the sewerage system on their properties.

(8) *Penalty.* Any person, firm or corporation violating any provisions of this section shall be fined not less than \$100, nor more than \$500 for each offense.

(9) *Access to records.* The Illinois Environmental Protection Agency or its authorized representative shall have access to any books, documents, papers and records of the authority which are applicable to the authority system of user charges or industrial cost recovery for the purpose of making audits, examinations, excerpts and transcriptions to insure compliance with the terms of the special and general conditions of any State grant.

(D) *Penalties.*

(1) Any person found to be violating any provision of this Chapter shall be served by the authority with written notice stating the nature of the violation and providing a reasonable time limit to permanently cease all violations. The authority may revoke any permit for sewage disposal as a result of any violation of any provision of this section.

(2) Any person who shall continue any violation beyond the time limit provided for in paragraph (1) above shall be guilty of a misdemeanor, and except as noted in § 171.02(F)(18) of this chapter, upon conviction, shall be fined in the amount of not less than \$100 and not more than \$500 for each violation. Each day in which any violation shall continue shall be deemed a separate offense.

(3) Any person violating any of the provisions of this section shall become liable to the authority for the violation.

§ 171.04 CROSS-CONNECTION CONTROL.

(A) *Compliance with State Plumbing Code.* All plumbing installed within the Village shall be installed in accordance with the Illinois Plumbing Code, 77111. Admin. Code 890. If, in accordance with the Illinois Plumbing Code, or in the judgment of the Superintendent of Water, an approved backflow prevention device is necessary for the safety of the public water supply system, the Superintendent of Water will give notice to the water customer to install an approved device immediately. The water customer shall, at his or her own expense, install an approved device at a location and in a manner in accordance with the Illinois Plumbing Code and all applicable local regulations, and shall have inspections and tests made of the approved devices upon installation and as required by the Illinois Plumbing Code and local regulations.

(B) *Approval of water supply.* No person shall establish or permit to be established or maintain or permit to be maintained any connection where a private, auxiliary or emergency water supply other than the regular public water supply of the Village enter the supply or distribution system of the Village, unless the private, auxiliary or emergency water supply and the method of connection and use of the supply shall have been approved by the Superintendent of Water and the Illinois Environmental Protection Agency.

(C) *Surveys and investigations.* It shall be the duty of the Superintendent of Water to cause surveys and investigations to be made of industrial and other properties served by the public water supply to determine whether actual or potential hazards to the public water supply may exist. The surveys and investigations shall be a matter of public record and shall be repeated at least every two years or as often as the Superintendent shall deem necessary. Records of the surveys shall be maintained and available for review for a period of at least five years.

(D) *Right of entry.* The approved cross-connection control device inspector shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the Village for the purpose of verifying the presence or absence of cross-connections, and the Water Superintendent or his authorized agent shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the Village for the purpose of verifying information submitted by the customer regarding the required cross-connection control inspection. On demand, the owner, lessees or occupants of any property served shall furnish to the Superintendent of Water any information which he or she may request regarding the piping system or systems or water use on the property. The refusal of the information, when demanded, shall, within the discretion of the Superintendent of Water, be deemed evidence of the presence of improper connections as provided in this section.

(E) *Discontinue water service for violation.* The Superintendent of Water of the Village is authorized and directed to discontinue, after reasonable notice to the occupant, the water service to any property where any connection in violation of the provisions of the section is known to exist, and to take any other precautionary measures as he or she may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to the property shall not be restored until the conditions have been eliminated or corrected in compliance with the provisions of this section and until a reconnection fee of \$10 is paid to the Village. Immediate disconnection with verbal notice can be effected when the Superintendent of Water is assured that imminent danger of harmful contamination of the public water supply system exists. This action shall be followed by written notification of the cause of disconnection. Immediate disconnection without notice to any party can be effected to prevent actual or anticipated contamination or pollution of the public water supply, provided that in the reasonable opinion of the Superintendent of Water or the Illinois Environmental Protection Agency, the action is required to prevent actual or potential contamination or pollution of the public water supply. Neither the public water supply, the Superintendent of Water, nor its agents or assigns shall be liable to any customer for any injury, damages or lost revenues which may result from termination of the customer's water supply in accordance with the terms of this section, whether the termination was with or without notice.

(F) *Water supply system clean-up costs.* The consumer responsible for back-siphoned material or contamination through backflow, if contamination of the potable water supply system occurs through an illegal cross-connection or an improperly installed, maintained or repaired device or a device which has been bypassed, must bear the cost of clean-up of the potable water supply system.