

TITLE VI
SEWER

Article 1
General

Section 1 **Administration.** The construction, maintenance, and repair of all sewage disposal systems, sewers, and sewer service lines including the connection to all sewers within the Village, shall be under the direction of and subject to the approval of the Village, whether constructed or maintained by the Village or by private firms, individuals, or utilities.

Section 2 **Separate Systems.** The sewer systems of the Village shall consist of a separate stormwater system and a sanitary sewer system.

Article 2
Use of Public Sewers Required

Section 1 **Unlawful Discharge.** It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Village or in any area under the jurisdiction of the Village, any human or animal excrement, garbage, or other objectionable waste.

Section 2 **Discharge Into Natural Outlets.** It shall be unlawful to discharge to any natural outlet within the Village or in any area under the jurisdiction of the Village, any sewage, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Section 3 **Unlawful Facilities.** Except as provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

Section 4 **Required Sewer Connections.** The owner of all dwellings, buildings, or properties used for human habitation, occupancy, residency, employment, recreation, or other purposes situated within the Village and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the Village, is required at their expense to install suitable toilet facilities and shall have an individual connection to the public sanitary sewer system in accordance with the provisions of this ordinance, within ninety (90) days after the date of official notice to do so, provided that the public sewer is within two hundred (200) feet (61 meters) of the property line.

For purposes of this section, individual residences that share a common wall or ownership right and have ground floor access, such as townhouses or rowhouses, shall be treated as separate buildings and shall have separate connections to the public sanitary sewer system as required in the Illinois Plumbing Code 12/98, (77 Illinois Administrative Code), part 890, Section 890.170(a).

Article 3
Private Sewage Disposal

Section 1 **Private Sewage Disposal System.** Where a public sanitary sewer is not available under the provisions of Article 2, Section 4, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.

Section 2 **Application.** Before the commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Village and the County Health Department.

The application for such permit shall be made on a form furnished by the Village (reference Appendix 2) which the applicant shall supplement with any plans, specifications and other information as deemed necessary by the Village.

A permit and inspection fee of Fifty Dollars (\$50.00) shall be paid to the Village at the time the application is filed.

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

Section 4 **Specifications of Private Sewage System.** 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. 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 twenty thousand (20,000) square feet (1,858 square meters). No septic tank or cesspool shall be permitted to discharge to any natural outlet.

Section 5 **Future Availability of Public Sewer System.** At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Article 2, Section 4, a direct connection shall be made to the public sewer in compliance with this article, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

Section 6 **Operation of Private Facilities.** The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, and at no expense to the Village.

Section 7 **Prohibited Private Disposal.** It shall be unlawful for any person to construct or maintain any cesspool, privy vault, or septic tank under any of the following circumstances:

7.1 Within two hundred (200) feet of the public sewer system or on property abutting such system.

7.2 Within forty (40) feet of any school, church, or public building.

- 7.3 Within ten (10) feet of any dwelling.
- 7.4 Within five (5) feet of any side lot line.
- 7.5 Within fifty (50) feet of any well, cistern, or water main.
- 7.6 On property which contains an area of less than twenty thousand (20,000) square feet.
- 7.7 On property that violates any of the requirements of the County Health Department.

Section 8 **Additional Requirements.** No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the County Health Department.

Section 9 **Public Sewer Availability.** When a public sewer becomes available, the building sewer shall be connected to the sewer within ninety (90) days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

Article 4
Building Sewers and Connections

Section 1 **Permit Required.** No unauthorized person shall uncover, make any connections with, or opening into, use, alter, or disturb any public sewer or appurtenance without first obtaining a written permit from the Village.

Section 2 **Application.** All applications for permits required by Section 1 shall be submitted in duplicate on blanks furnished by the Village for that purpose and shall include complete details of the nature and location of the work to be done, the name of the person contracting to have the work done, and the name of the person who is to do the actual work. Where any sewer or water service connections are to be made, a scale drawing showing the location of proposed and existing water and sewer lines, together with accurate elevations and slope of sewer lines, shall accompany the application. A stamped, approved set of drawings and the permit shall be kept on the job site at all times.

Section 3 **Disposal Compliance.** All disposal by any person into the sewer system is unlawful except those discharges in compliance with federal standards promulgated pursuant to the Federal Act and more stringent state and local standards.

Section 4 **Classification of Permits.** There shall be two (2) classes of building sewer permits: a) for residential and commercial service and b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make an application on a special form furnished by the Village (reference Appendix 2). The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Village. Fees for permits shall be in accordance with the schedule of fees approved from time to time by the Village Board of Trustees and on file in the office of the Village Clerk. The industry, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics, and type of activity.

Section 5 **Downstream Sewerage Facilities.** 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.

Section 6 **Bond Required.** Each applicant for a permit required by this article for work on public property shall file a bond in the amount of Ten Thousand Dollars (\$10,000), with surety to be approved by the Village Board of Trustees, conditioned to indemnify the Village for any loss or damage resulting from the work undertaken or the manner of doing the same.

Section 7 **Insurance (Required).** Each applicant for a permit required by this article for work on public property shall carry adequate public liability and property damage insurance to indemnify the Village in case of any accident or damage occurring in conjunction with or as a result of the work being done under the permit. The Village shall be named coinsured in any policy.

7.1 The form of insurance required shall be subject to the approval of the Village Attorney.

- 7.2 Limits of liability shall be at least One Hundred Thousand Dollars (\$100,000) for injury to any one person and Five Hundred Thousand Dollars (\$500,000) for injury resulting from any one accident and Fifty Thousand Dollars (\$50,000) for injury to any property.
- 7.3 The insurance required may not be canceled until completion of the work for which a permit is issued and following final inspection and approval of the work by the Village. Cancellation or lapse of the insurance required shall terminate any permit for which the policy provides coverage.

Section 8 **Costs and Expenses.** All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer and connection.

Section 9 **Separate Building Sewer Required.** A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Section 10 **Connection of Existing Building Sewers.** Old building sewers may be used in connection with new buildings only when they are found on examination and tested by the Village, to meet all requirements of this article.

Section 11 **Sewer Construction.** The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of Article 7.

Section 12 **Sewer Placement.** 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 by the Village and discharged to the sewer service line.

Section 13 **Prohibited Connections.** No person(s) shall make a 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.

Section 14 **Connection of Lines.** The connection of the building sewer to the public sewer shall conform to the requirements of Article 7. All connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Village before installation.

Section 15 **Inspection of Initial Connection.** The applicant for the building sewer permit shall notify the Village Inspector when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Village Inspector or his representative.

Section 16 **Sewer Excavation.** All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazards. Streets, sidewalks, parkways, and other public property disturbed in the course of work shall be restored in a manner satisfactory to the Village.

A street excavation permit separate from the sewer construction permit shall be obtained and the required inspection fees shall be paid.

Section 17

Private Legal Responsibility. Each applicant for a permit required by this ordinance for work on public or private property shall bear the responsibility for accidental injury or death, property damage, or any other litigation that may arise in connection with this work and shall in any case hold the Village harmless from all damages.

Article 5
Use of Public Sewers

Section 1 **Unlawful Sewer Connections.** It shall be unlawful to introduce or make any sewer connections designed to or which could permit the introduction of any stormwater rainwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

Section 2 **Designated Storm Sewers.** Stormwater and all other unpolluted drainages shall be discharged to the sewer as are specifically designated as storm sewers, or to a natural outlet approved by the Village Inspector. Industrial cooling water of unpolluted process waters may be discharged on approval of the Village Inspector, to a storm sewer, or natural outlet.

Section 3 **Harmful Discharge.** No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

3.1 Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

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

3.3 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.

3.4 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, mild containers, etc., either whole or ground by garbage grinders.

Section 4 **Prohibited Discharge Material.** No person shall discharge or cause to be discharged the following substances, materials, waters, or wastes if it appears likely in the opinion of the Village Inspector and/or the Supervising Maintenance Operator that the 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 Village Inspector and/or the Supervising Maintenance Operator will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, the capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and maximum limits established by regulatory agencies. The substances prohibited are:

4.1 Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150oF), (65oC).

- 4.2 Any waters or wastes containing toxic or poisonous materials; or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances that may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty degrees Fahrenheit (150oF), (0 and 65oC).
- 4.3 Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Village Inspector.
- 4.4 Any water or wastes containing strong acid, iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- 4.5 Any waters or wastes containing iron, chromium, copper, zinc, or similarly objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Village for such materials.
- 4.6 Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the Village as necessary after treatment of the composite sewage, to meet the requirements of the state, federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
- 4.7 Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Village in compliance with applicable state or federal regulations.
- 4.8 Any water or waste having a pH in excess of 9.5.
- 4.9 Any mercury or any of its compounds in excess of 0.0005 mg/a 1 Hg at any time except as permitted by the Village in compliance with applicable state and federal regulations.
- 4.10 Any cyanide in excess of 0.025 mg/l at any time except as permitted by the Village in compliance with applicable state and federal regulations.
- 4.11 Materials which exert or cause:
- A. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues or of dissolved solids (such as but not limited to, sodium chloride and sodium sulfate).
 - B. Excessive discoloration (such as, but 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.

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

Section 5 Village Response to Harmful Discharge. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 of this article, and/or which are in violation of the standard for pretreatment provided in Chapter 1, EPA Rules and Regulations, Subchapter D, Water Programs Part 128 - Pretreatment Standards, Federal Register Volume 38, No. 215, Thursday, November 8, 1973, and any amendments thereto, and which in the judgment of the Village may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Village may:

- 5.1 Reject the wastes.
- 5.2 Require pretreatment to an acceptable condition for discharge to the public sewers.
- 5.3 Require control over the quantities and rates of discharge.
- 5.4 Require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges, under the provisions of Section 2 of this article.

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

Section 6 Interceptors. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Village, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Village and shall be located as to be readily and easily accessible for cleaning and inspection.

Section 7 Preliminary Treatment Facilities. Where preliminary treatment or flow-equalizing facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Section 8 Control Manhole. When required by the Village, the owner of any property serviced by a building sewer carrying industrial wastes shall be required to install a control manhole and, when required by the Village, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. The manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Village. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

Section 9 Oil Separators (When Required). Every garage or other storage, repair, or servicing area where solid material or flammable liquids could be introduced into the sewer system shall be equipped with a catch basin or basins equipped with oil or gasoline separators constructed in accordance with the requirements of the Village.

Section 10 Oil Separator Cleaning. All oil or gasoline separators shall be cleaned at regular intervals as required to prevent the material from entering the sewer system.

Section 11 Oil Separator Inspections. A list of all separators required by Section 9 shall be furnished to the fire chief who shall cause regular periodic inspections to be made of the units to determine and assure their proper cleaning and maintenance.

Section 12 Requirements for Industrial Wastes. At the request of the Village, the owner of any property serviced by a building sewer carrying industrial wastes shall provide laboratory measurements, tests, and analyses of waters and wastes to illustrate compliance with this ordinance and any special conditions for discharge established by the Village or regulatory agencies having jurisdiction over the discharge.

The number, type, and frequency of laboratory analyses to be performed by the owner shall be as stipulated by the Village but no less than once per year the industry must supply a complete analysis of the constituents of the waste-water discharge to assure that compliance with the federal, state, and local standards are being met. The owner shall report the results of measurements and laboratory analyses to the Village at such times and in such manner as prescribed by the Village. The owner shall bear the expense of all measurements, analyses, and reporting required by the Village. At such times as deemed necessary, the Village reserves the right to take measurements and samples for analysis by an outside laboratory service.

Section 13 Procedure for Testing Waste. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in the ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at 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 constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four [24] hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls, whereas pH's are determined from periodic grab samples.)

Section 14 Special Agreements. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment, subject to payment, in accordance with Article 9, by the industrial concern, provided the payments are in accordance with federal and state guidelines for user charge system and industrial cost recovery system.

Section 15

Violation. Any person found to be violating any provision of this Article 5 shall be served by the Village with written notice stating the nature of the violation. If the violation is not immediately corrected and the alleged violator is found to be violating this Article 5, such person shall be fined in an amount not less than seven hundred fifty dollars (\$750.00) and shall be liable for any and all costs of any damage to any part of the Village's sewer system due to such violation.

Article 6
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, or as a violation of this ordinance.

Article 7
Sewer Construction and Materials

- Section 1** **General.** All sanitary sewers including sewer service lines installed in the Village or installed outside the Village and connected to the Village sanitary sewer system shall be installed and maintained in accordance with the requirements of this article.
- Section 2** **Specifications of Sewer Pipes.** All sanitary sewers, including sewer service lines, shall be constructed of extra strength vitrified-clay sewer pipe manufactured in accordance with and conforming to American Society for Testing Materials (ASTM) Standards for Clay Sewer Pipe (ASTM designation C200 and C700T, latest revisions), approved cast-iron or ductile iron pipe or composite pipe formed by extruding ABS resin into a truss shape forming inner and outer walls supported by webs and then filling the voids with lightweight concrete, all meeting ASTM Specifications DB2680-70 (latest revisions). Sewer service lines only may also be extra strength solid wall ABS Pipe or Polyvinyl Chloride Pipe (PVC) ASTM designation D3034 (latest revisions) bearing National Sanitation Foundation Seal.
- Section 3** **Sewer Service Line Defined.** A sewer service line or building sewer shall consist of the sewer line from the Village sewer to the building or improvement being served.
- Section 4** **Individual Service Lines Required.** No property owner will be permitted to construct a sewer service line to serve more than one parcel of the property but shall construct individual sewer service lines connecting each parcel of property to the public sewer line abutting and serving the property.
- Section 5** **Joints and Couplings.** All pipes installed on private property and in any location adjacent to trees and subject to root exposure shall be equipped with root-resistant joints as in (5.1) below.
- 5.1 All joints in vitrified-clay pipe shall be approved, factory-made, precast joints, conforming to and meeting the requirements of ASTM standards a C-425-58-T (latest revisions), using material type I or III.
- 5.2 All joints in cast-iron pipe shall be made with oakum and poured caulked lead, with standard bolted mechanical joints, or with an approved rubber compression ring.
- 5.3 All joints in plastic pipe shall be chemically welded and conforming to ASTM specification D-2680-72, (latest revisions).
- 5.4 Then when two sections of sewer pipe are to be joined where the bell or spigot has been removed, or where two (2) pipes of the same inside diameter but made of different materials are to be joined, a pipe coupling with stainless steel clamps, properly sized transition bushing, and the shear ring must be used (equal to Clow adjustable repair coupling, ASTM specification C594 [latest revisions] for compression couplings).
- 5.5 That where pipes of different sizes are to be joined such as four (4) inch cast iron to six (6) inch clay, a reducer coupling must be used (equal to Clow Mission couplings ASTM C594, latest revisions), concrete or other types of sealing are not acceptable.

Section 6 Construction of Lines.

- 6.1 All sewer lines shall be laid in trenches the bottom of which are undisturbed soil. Approved granular backfill, properly compacted, shall be used immediately under and up to the center line of all sewer lines. Additional granular backfill shall then be placed to a depth of at least two (2) pipe diameters over the top of the pipe and additional backfill material sufficient to fill the trench shall be added. For sewers on private property, the type of the last backfill material shall be at the option of the owner. Within a street or alley right-of-way and within areas of present or future pavement or sidewalks as designated on the approved permit, thoroughly compacted, approved, granular backfill shall be placed up to the surface. This backfill, unless otherwise approved by the Village Inspector, shall be placed in the presence of an inspector of the Village. Approved gravel backfill shall be material meeting the requirements of Section 20-2.21C of Standard Specifications for Water Main and Sewer Main Construction in Illinois.
- 6.2 All sanitary sewer service lines serving a one-family unit shall have a minimum internal diameter of four (4) inches and shall slope a minimum internal diameter of one-fourth (1/4) inch per foot. All sanitary sewer service lines serving units greater than one family shall have a minimum internal diameter of six (6) inches and shall slope a minimum of one-eighth (1/8) inch per foot with a slope of at least one-four (1/4) inch per foot being preferable.
- 6.3 No sanitary sewer line shall be constructed in the same trench with or within ten (10) feet of a water or storm sewer line.
- 6.4 If a sewer service line is constructed with changes in direction of the line, approximately ninety (90) degrees any such change, shall be constructed using "long sweep bends" of not greater than forty-five (45) degrees change in direction. If an abrupt ninety (90) degree bend cannot be avoided, a manhole or cleanout shall be constructed at the point to make it possible to rodding the sewer in case of blockage.
- 6.5 When a property owner extends sewer mains, the sewer mains must be extended to the far property line, unless waived by the recommendation of the Village Engineer, and approved by the Village Board of Trustees. The property owners must submit plans and specifications, prepared by a registered engineer to the Village Engineer for review prior to approval by the Village Board of Trustees.

Section 7 Inspection, Approval of Service Lines. No part of a sewer service line shall be covered until inspected and approved by an authorized inspector of the Village.

Section 8 Service Lines Shall Be Property of Owner. Sewer service lines shall be and shall remain the property of the owner of the lot or parcel of real estate being served, and any required repairs, maintenance, or cleaning shall be the responsibility of the property owner. Should, at some future time, the sewer service line be found to be defective, permitting the introduction of storm or groundwater into the system the line, shall be repaired at the property owner's expense so that such entry is stopped.

Section 9 Method of Connecting Sewer Lines. Connection of sewer service lines to the Village sewers shall be by means of a tee or wye connection in the line or by use of a Village-approved metal or by one of the methods indicated below. Indiscriminate breaking of the sewer main or lateral is prohibited.

- 9.1 Circular saw-cut of sewer pipe by proper tools (“Sewer-Tap” machine or similar), and proper installation of hub wye saddle or hub tee saddle, in accordance with manufacturer’s recommendations.
- 9.2 Remove an entire section of pipe and replace it with a wye or tee branch section. The pipe section shall be removed by breaking only the top of one bell. After the wye or tee branch is inserted, the connection shall be completed by the use of a pipe coupling with stainless steel clamps as defined above.
- 9.3 Using a pipe cutter, neatly and accurately cut out the desired length of pipe for insertion of proper fitting. After the proper fitting is inserted, the connection shall be completed by the use of a pipe coupling with stainless steel clamps as defined above.
- 9.4 Actual tapping of the line shall only be done when an inspector of the public works department is present. If in making a tap, a section of sewer pipe is cracked, that section shall be replaced or, at the option of the inspector, shall be entirely encased in not less than six (6) inches of Portland cement concrete.

Section 10 **Separate Connections Required.** Separate connections shall be made for storm sewer lines and sanitary sewer lines.

Section 11 **Cutting, Removing Pavement, etc.; Replacing; Notice.** When an existing pavement or sidewalk is cut or removed in the course of making a sewer connection, the sections shall be restored to meet the original condition in accordance with the requirements of the Village. The street cuts shall be made only at such times and in such manner as approved by the Village following at least twenty-four (24) hours’ notice to the Village.

Section 12 **Rules and Regulations.**

- 12.1 Connection to the sanitary sewer of property located within the Village of Carbon Cliff for property which does not front on a street in which a Village sanitary sewer is located.
- A. Connection at owner’s expense. The owner of any property which does not front on a street in which a Village sanitary sewer main is located shall be required to install, at his own expense, the necessary sewer main extension in accordance with the Village specifications and requirements as approved by the Village Engineer, and in addition, shall comply with all of the requirements hereinafter set forth in Subsections B. and C. In the event an owner constructs the necessary sewer main extensions at his expense, an agreement may be made between the owner and the Village to run for a period not to exceed twenty (20) years and providing for the Village to collect a connection fee from the owner of any intervening property who connects to the sanitary sewer main extension with the connection fee to be the normal fee of the Village plus a proportion of the cost of construction of the

sewer main extension, and to also provide for the Village to pay the construction cost portion of the fee to the property owner who originally paid for the construction. Prior to beginning construction of any such above-described extension, the property owner shall grant the Village a bill of sale (in the form as attached as Appendix 1 to this section) transferring ownership and maintenance of any such extension to the Village.

- B. Fees: deferred payments. For each property improved by a single-family residence, the fee for connecting to the Village sanitary sewer main shall be in accordance with Title VI, Article 9, Section 4 of this code. General Contractors must pay the connection fee in full before the connection is made. For Owner Occupied properties where the property owner is also the builder, the connection fee must be paid prior to the connection being made, or monthly over a five (5) year period, provided the first payment must be paid within thirty (30) days of the agreement for connection to the water main being approved. The remaining monthly installments thereafter shall be made per the agreement until paid in full, with interest accruing at a monthly (APR) rate of ten (10) percent. Should the property owner elect to pay the connection fee in installments, he shall execute a proper contract with the Village wherein he agrees to make such payments; said agreement shall be recorded in the office of the Rock Island County recorder and shall be binding upon successors in title to the property for which the connection is made. The water connection shall be made once the connection fee is paid in full or once an agreement with the Village has been approved and the first installment payment has been made.
- C. Building other than a single-family residence. For each property improved by any building other than a single-family residence, the fee shall be the amount determined by the corporate authorities.
- D. There must be an intergovernmental agreement between the Village of Carbon Cliff and the other municipality, or a letter from the Chief Elected Officer of the other municipality, which will allow the Village to provide sewer services to the property in question.

12.2 Connection to the sanitary sewer of property contiguous to the Village of Carbon Cliff and not located within another municipality. No property contiguous to the Village limits and not located within the corporate limits of another municipality shall be permitted to connect to the Village sanitary sewer main until said property has been annexed to the Village. After annexation, the property may be connected to the sanitary sewer mains of the Village upon the following conditions:

- A. Connection at owner's expense. The owner of any property which does not front on a street in which a Village sanitary sewer main is located shall be required to install, at his own expense, the necessary sewer main extensions in accordance with the Village specification and requirements as approved by the Village Engineer, and in addition, shall comply with all of the requirements hereinafter set forth in Subsections B. and C. In the event an

owner constructs the necessary sewer main extensions at his expense, an agreement may be made between the owner and the Village to run for a period not to exceed twenty (20) years and providing for the Village to collect a connection fee from the owner of any intervening property who connects to the sanitary sewer main extension with the connection fee to be the normal fee of the Village plus a proportion of the cost of construction of the sanitary sewer main extension, and to also provide for the Village to pay the construction cost portion of the fee to the property owner who originally paid for the construction. Prior to beginning construction of any such above-described extension, the property owner shall grant the Village a bill of sale (in the form as attached as Appendix 1 to this section) transferring ownership and maintenance of any such extension to the Village.

- B. Fees: deferred payments. For each property improved by a single-family residence, the fee for connecting to the Village sanitary sewer main shall be in accordance with Title VI, Article 9, Section 4 of this code. General Contractors must pay the connection fee in full before the connection is made. For Owner Occupied properties where the property owner is also the builder, the connection fee must be paid prior to the connection being made, or monthly over a five (5) year period, provided the first payment must be paid within thirty (30) days of the agreement for connection to the water main being approved. The remaining monthly installments thereafter shall be made per the agreement until paid in full, with interest accruing at a monthly (APR) rate of ten (10) percent. Should the property owner elect to pay the connection fee in installments, he shall execute a proper contract with the Village wherein he agrees to make such payments; said agreement shall be recorded in the office of the Rock Island County recorder and shall be binding upon successors in title to the property for which the connection is made. The water connection shall be made once the connection fee is paid in full or once an agreement with the Village has been approved and the first installment payment has been made.
- C. Building other than a single-family residence. For each property improved by any building other than a single-family, the fee shall be such amount as may be determined by the corporate authorities.
- D. No provision of this article shall be construed as preventing any special arrangement agreement or contract between the Village and any municipality, person, or industrial concern for sewerage service, subject to the rate, cost, or conditions as established by the Village.

- 12.3 Connection to the sanitary sewer of property not contiguous to the Village of Carbon Cliff. Provided that the property to be served is within two hundred (200) feet of a Village sanitary sewer main and not contiguous to the Village may be connected to the sanitary sewers of the Village upon payment of a connection fee and compliance with the following conditions:

- A. All provisions, including prior and future amendments of 65 ILCS 5\11-15.1-1 et. seq., are incorporated and included by reference herein.
- B. Connection at owner's expense. The owner of any such property which does not front on a street in which a Village sanitary sewer main is located shall be required to install, at the owner's expense, the necessary sewer main extensions in accordance with Village specifications and requirements, as approved by the Village Engineer, and in addition, shall comply with all of the requirements hereinafter set forth in Subsections C., D., and E. In the event an owner constructs the necessary sewer main extensions at his expense, an agreement may be made between the owner and the Village to run for a period not to exceed twenty (20) years and providing for the Village to collect a connection fee from the owner of any intervening property who connects to the sanitary sewer main extension with the connection fee to be the normal fee of the Village plus a proportion of the cost of construction of the sanitary sewer main extension, and to also provide for the Village to pay the construction cost portion of the fee to the property owner who originally paid for the construction. Prior to beginning construction of any such above-described extension, the property owner shall grant the Village a bill of sale (in the form as attached as Appendix 1 to this section) transferring ownership and maintenance of any such extension to the Village.
- C. Fees: deferred payments. For each property improved by a single-family residence, the fee for connecting to the Village sanitary sewer main shall be in accordance with Title VI, Article 9, Section 4 of this code. General Contractors must pay the connection fee in full before the connection is made. For Owner Occupied properties where the property owner is also the builder, the connection fee must be paid prior to the connection being made, or monthly over a five (5) year period, provided the first payment must be paid within thirty (30) days of the agreement for connection to the water main being approved. The remaining monthly installments thereafter shall be made per the agreement until paid in full, with interest accruing at a monthly (APR) rate of ten (10) percent. Should the property owner elect to pay the connection fee in installments, he shall execute a proper contract with the Village wherein he agrees to make such payments; said agreement shall be recorded in the office of the Rock Island County recorder and shall be binding upon successors in title to the property for which the connection is made. The water connection shall be made once the connection fee is paid in full or once an agreement with the Village has been approved and the first installment payment has been made.
- D. Building other than a single-family residence. For each property improved by any building other than a single-family residence, the fee shall be the amount determined by the corporate authorities.
- E. Sewer rental fee. The owner of each such property shall pay to the Village, in addition to the connection fee and sewer usage fee, a sewer rental fee

assessed in accordance with the schedule of fees adopted from time to time by the corporate authorities and on file in the office of the Village Clerk.

- F. No provision of this article shall be construed as preventing any special arrangement agreement or contract between the Village and any municipality, person, or industrial concern for sewerage service, subject to the rate, cost, or conditions as established by the Village.

12.4 Connection to the sanitary sewer of property contiguous to the Village of Carbon Cliff but located within the corporate limits of another municipality. Provided that the property to be served is contiguous to the Village but located within the corporate limits of another municipality may be connected to the sewer main of the Village upon payment of a connection fee in addition to compliance with the following conditions:

- A. There must be an intergovernmental agreement between the Village of Carbon Cliff and the other municipality, or a letter from the Chief Elected Officer of the other municipality, which will allow the Village to provide sewer services to the property in question.
- B. Connection at owner's expense. The owner of any such property which does not front on a street in which a Village sanitary sewer main is located shall be required to install, at the owner's expense, the necessary sewer main extensions in accordance with Village specifications and requirements, as approved by the Village Engineer, and in addition, shall comply with all of the requirements hereinafter set forth in Subsections C., D., and E. In the event an owner constructs the necessary extensions at his expense, an agreement may be made between the owner and the Village to run for a period not to exceed twenty (20) years and providing for the Village to collect a connection fee from the owner of any intervening property who connects to the sanitary sewer main extension with the connection fee to be the normal fee of the Village plus a proportion of the cost of construction of the sewer main extension and to also provide for the Village to pay the construction cost portion of the fee to the property owner who originally paid for the construction. Prior to beginning construction of any such above-described extension, the property owner shall grant the Village a bill of sale (in the form as attached as Appendix 1 to this section) transferring ownership and maintenance of any such extension to the Village.
- C. Fees: deferred payments. For each property improved by a single-family residence, the fee for connecting to the Village sewer main shall be in accordance with Title VI, Article 9, Section 4 of this code. General Contractors must pay the connection fee in full before the connection is made. For Owner Occupied properties where the property owner is also the builder, the connection fee must be paid prior to the connection being made, or monthly over a five (5) year period, provided the first payment must be paid within thirty (30) days of the

agreement for connection to the water main being approved. The remaining monthly installments thereafter shall be made per the agreement until paid in full, with interest accruing at a monthly (APR) rate of ten (10) percent. Should the property owner elect to pay the connection fee in installments, he shall execute a proper contract with the Village wherein he agrees to make such payments; said agreement shall be recorded in the office of the Rock Island County recorder and shall be binding upon successors in title to the property for which the connection is made. The water connection shall be made once the connection fee is paid in full or once an agreement with the Village has been approved and the first installment payment has been made.

- D. Building other than a single-family residence. For each property improved by any building other than a single-family residence, the fee shall be the amount determined by the corporate authorities.
- E. Sewer rental fee. The owner of each such property shall pay to the Village, in addition to the connection fee and sewer usage fee, a sewer rental fee assessed in accordance with the schedule of fees adopted from time to time by the corporate authorities and on file in the office of the Village Clerk.
- F. No provision of this article shall be construed as preventing any special arrangement agreement or contract between the Village and any municipality, person, or industrial concern for sewerage service, subject to the rate, cost, or conditions as established by the Village.

Article 8
Powers and Authority of Inspectors

- Section 1** **Authority of Inspectors.** The Village Inspector and other duly authorized employees of the Village, the Illinois Environmental Protection Agency, and the U. S. Environmental Protection Agency, bearing proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. The Village Inspector or his representative shall have no authority to inquire into any processes, including metallurgical, chemical, oil refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterway or facilities for waste treatment.
- Section 2** **Liability.** While performing the necessary work on private properties referred to in Article 8, Section 1, the Village Inspector or duly authorized employees of the Village, the Illinois Environmental Protection Agency, and the U. S. Environmental Protection Agency shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the Village employees, and the Village shall indemnify the company against loss or damage to its property by Village employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article 5, Section 8.
- Section 3** **Easements.** The Village Inspector and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all private properties through which the Village holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within 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.

Article 9
Wastewater Service Charges

Section 1 **Basis for Wastewater Service Charges.** The wastewater service charge for the use of and for service supplied by the wastewater facilities of the Village shall consist of a basic user charge for operation and maintenance plus replacement, a debt service charge, and a surcharge, if applicable.

The debt service charge, if any, shall be computed by dividing the annual debt service of all outstanding loans and bonds by the number of users. Through further divisions, the monthly debt service charge can be computed. (78-10, 5-16-78)

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

- 1.1 A five day, 20 degree centigrade (20°C) bio-chemical oxygen demand (BOD) of 200 mg/l.
- 1.2 A suspended solids (SS) content of 250 mg/l.

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

- 1.3 Estimate the projected annual revenue required to operate and maintain the wastewater facilities, including a replacement fund for the year for all works categories.
- 1.4 Proportion the estimated costs to wastewater facility categories by volume, suspended solids and BOD, if possible.
- 1.5 Estimate wastewater volume, pounds of SS, and pounds of BOD to be treated.
- 1.6 Proportion the estimated costs to non-industrial and industrial users by volume, suspended solids, and BOD.
- 1.7 Compute costs per thousand (1,000) gallons for normal sewage strength.
- 1.8 Compute surcharge costs per thousand (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 concentration for BOD and SS respectively. Article 9, Section 6 specifies the procedure to compute a surcharge.

The adequacy of the wastewater service charge shall be reviewed annually by certified public accountants for the Village in their annual audit report. The wastewater service charge shall

be revised periodically to reflect a change in debt service or a change in operation and maintenance costs including replacement costs.

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

- 2.1 If the person discharging waste into the public sewers procures any part, or all, of his water from sources other than the public water works system of the Village, all or a part of which is discharged into the public sewer system of the Village, then such person may, at his election, install and maintain at his expense, a water meter of a type approved by the Village for the purpose of determining the volume of water obtained from these other sources. After the installation and operation of such a meter, the person shall be considered a metered user under the provisions of the Sewer Ordinance, Article 9, Section 5.
- 2.2 Devices for measuring the volume of waste discharged may be required by the Village if these volumes cannot otherwise be determined from the metered water consumption records.
- 2.3 The water meter shall be installed, owned, and maintained by the person and not by the Village. Provided however, the type of meter shall be approved by the Village, the location of the meter shall be designated by the Village, and the installation of the water meter shall be inspected by the Village. Following approval and installation, such a meter shall not be removed without the consent of the Village.
- 2.4 That after the approval and installation of such a water meter, the water meter shall be read in the same manner as the water meters attached to residences being serviced by the waterworks system of the Village, and the rates of consumption of water shall thereafter be utilized the person's basic user rate under the Sewer Ordinance of the Village of Carbon Cliff, Article 9, Section 5.

Section 3 Debt Service Charge. A debt service charge of One Dollar (\$1.00) per month to each user of the wastewater facility of the Village is established.

Section 4 Fees.

- 4.1 Any person connecting to the Village sewer system shall pay a connection fee as established.
- 4.2 The connection fee for connection of any sewer service to the Village sewer system for property assessed for the sewer shall be Two Thousand Dollars and Zero Cents (\$2,000.00) if paid within sixty (60) days of execution of the construction contract of the sewer system. They shall be Three Thousand Dollars and Zero Cents (\$3,000.00) if not paid within sixty (60) days of execution of the contract. The Village shall cause a notice to be published in the newspaper at least once, advising the public of the date of execution of the construction contract and setting forth the date on which the sewer hook-up fee will increase from Two Thousand Dollars and Zero Cents (\$2,000.00) to Three Thousand Dollars and Zero Cents (\$3,000.00).
- 4.3 In the event of unusual circumstances or cases to individual private property owners where the requirements of connecting to the Village sewer system would present an undue financial

burden different from that of owners whose properties are in proximity to the Village sewer system, the owner of the lot may apply to the Village authorities for a waiver of a part of the connection fee established by this section and the fee, where warranted, shall be established by the Village authorities in keeping with the general principles of this section.

Section 5 Sewer User Rate.

- A. A minimum charge of TWENTY-NINE DOLLARS AND EIGHTY-FOUR CENTS (\$29.84) per month shall be applied to all residential metered users for the consumption of the initial Two Thousand Five Hundred (2,500) gallons of water. In addition to the minimum charge, a basic user rate of SIX DOLLARS AND EIGHTY-THREE CENTS (\$6.83) per One Thousand (1,000) gallons shall be applied to all water consumed in excess of the initial Two Thousand Five Hundred (2,500) gallons per month passing through the meter.
- B. For multiple home units occupied as residential units and served by a single meter, a minimum charge of TWENTY-NINE DOLLARS AND EIGHTY-FOUR CENTS (\$29.84) shall be applied per month on the first unit and a minimum charge of TWENTY-ONE DOLLARS AND NINETY-SIX CENTS (\$21.96) shall be applied for each additional unit served by the meter for the consumption of the initial Two Thousand Five Hundred (2,500) gallons of water per month. In addition to the minimum charges, a basic user rate of SIX DOLLARS AND EIGHTY-THREE CENTS (\$6.83) per One Thousand (1,000) gallons shall be applied to all water consumed in excess of the initial Two Thousand Five Hundred (2,500) gallons per month passing through the meter.
- C. A basic user charge of FORTY-SIX DOLLARS AND EIGHTY-NINE CENTS (\$46.89) per month shall be applied to all non-metered users. A non-metered user is one where only sewage use is available, no village water is used, and water consumption is not metered.
- D. A minimum charge of ONE HUNDRED TWENTY DOLLARS AND SEVENTY-SEVEN CENTS (\$120.77) per calendar quarter shall be applied to the consumption of the initial Ten Thousand (10,000) gallons of water to all commercial users zoned for the Village zoning purposes as C-1, C-2, I-1, I-2, and including all restaurants and industrial zoned users. In addition to the minimum charge, a basic user rate of THIRTEEN DOLLARS AND SIXTY-TWO CENT (\$13.62) per One Thousand (1,000) gallons shall be applied to all water consumed in excess of the initial Ten Thousand (10,000) gallons per calendar quarter passing through the meter.
- E. All commercial and industrial users must be metered.
- F. Metered users shall give immediate notice to the Village in case of injury, stoppage, or imperfect working of any meter, and the Village reserves the right to enter the premises of any user to read, inspect, test, repair, or replace any meter that meters water furnished by the Village or water that enters the water pollution control system.
- G. No meter shall be removed or in any way disturbed nor the seal broken, except in the presence of a superintendent or authorized agent or employee of the Village. Requests by the user or owner of any meter for a test shall be in accordance with the provisions of rules and regulations of the Village water department.

- H. If any meter fails to register the quantity of water entering the sewer, the quantity and sewer service charges will be based on the average quantity registered to the last proceeding year prior to the date of failure.
- I. In the event any commercial or industrial user makes an application for a waiver of the surcharge applicable to them, the cost of sampling and the expenses of determining the appropriateness of such waiver shall be the burden of the user and in accordance with the rules and regulations adopted by the Village for such purposes.

Section 6 **Surcharge Rate.** The rates of surcharges for BODS and SS shall be as follows: In accordance with the East Moline sewer rate ordinance fee schedule.

Section 7 **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 Village and shall be binding as a basis for surcharges.

Section 8 **Computation of Wastewater Service Charge.** The wastewater service charge shall be computed by the following formula:

$$CW = CD + CM + (Vu - X) CU + CS$$

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

CD = Debt Service Charge (Section 1)

CM = Minimum Charge for Operation, Maintenance and replacement (Section 2)

Vu = Wastewater Volume for the billing period.

X = Allowable consumption in gallons for the minimum charge (Section 2) = 3000 gallons.

Cu = Basic User Rate for Operation, Maintenance and Replacement (Section 2)

Cs = Amount of Surcharge (Sections 3 and 4)

Article 10
Industrial Cost Recovery

- Section 1** **Industrial Cost Recovery Required.** Each industrial user shall pay that portion of any state grant which has been obtained by the Village and/or City of East Moline for the financing of the construction of wastewater treatment works allocable to the treatment of the wastewater from such user. Such users share shall not include an interest component.
- Section 2** **Determination of Industrial Population Equivalent.** An industrial user's portion of any state grant shall be based on the population equivalents attributable to wastewater of the tributary to the wastewater treatment works of the Village and/or City of East Moline. The population equivalents shall be determined as follows:
- 2.1 Volume population equivalent. This population equivalent equals the average daily rate of water consumption as determined by the consumption records of the past year, divided by the average domestic water consumption; or, where water consumption does not reflect the actual quantity of wastewater tributary to the treatment works from the user, then the average daily flow as recorded in the control manhole required, and divided by the average domestic water consumption.
- 2.2 BOD population equivalent. This population equivalent equals the average daily pounds of BOD in the wastewater as determined by the Village and/or City of East Moline, divided by the average per capita BOD of non-industrial discharges per day.
- 2.3 SS population equivalent. This population equivalent equals the average daily pounds of suspended solids in the wastewater from the user as determined by the Village and/or the City of East Moline, divided by the average per capita SS of non-industrial discharges per day.
- Section 3** **Cost Per Capita.** The dollar cost per capita shall be determined in accordance with the City of East Moline rate study approved by EPA.
- Section 4** **Cost for Industrial User.** The cost to be recovered from an industrial user (CI) shall be determined in accordance with the City of East Moline rate study approved by EPA.
- Section 5** **Charge for Industrial Cost Recovery.** Each year during the industrial cost recovery period, each industrial user of the treatment works shall pay the cost recovery amount determined for such industry, divided by the recovery period. Where an industry is connected to a public sewer after the startup of the facilities constructed under a state grant, the industry shall only pay its portion of the state grant for each month remaining in the recovery period. The industry will not be required to pay for those months of the recovery period prior to connection to a public sewer.
- Section 6** **Length of Industrial Cost Recovery Period.** The industrial cost recovery period shall be equal to the useful life of the treatment works which shall be in accordance with the East Moline rate study and not to exceed thirty (30) years.

- Section 7** **Payments and Billing Period for Industrial Cost Recovery.** For the purpose of industrial cost recovery, the year shall be divided into monthly periods, said periods to correspond to the water billing periods, and all industrial users of the Village shall pay the cost as determined by this ordinance for industrial cost recovery, and the payments shall be made monthly on the ninth day of the month immediately following the expiration of the monthly period for which service has been supplied, and the charge shall be payable within fifteen (15) days after rendition thereof; and in the event, such bills are not paid within fifteen (15) days, a service charge of ten (10) percent shall be added thereto.
- Section 8** **Delinquency and Termination of Service.** In the event the charges for industrial cost recovery are not paid within sixty (60) days after the rendition of that bill, then the service charges shall be deemed and are declared to be delinquent, and thereafter the delinquent charge shall constitute a lien upon the real estate for which such sewer services were supplied. The Village Clerk is authorized and directed each month to file sworn statements showing the delinquencies in the office of the recorder of deeds of Rock Island County, Illinois, and the filing of the statements shall be deemed notice of a lien for the payment of the charges for sewer service. If the delinquency in the payment of the recovery cost continues for a period of more than sixty (60) days, the sewer service shall be discontinued.
- Section 9** **Time of First Payment.** The initial payment made by an industrial user which is connected to a public sewer after the startup of the treatment works constructed with a state grant shall be made by the next scheduled due date as defined in Article 10, Section 7, and shall be equal to one-twelfth of the amount as determined by Article 10, Section 5 of this ordinance.
- Section 10** **Adjustment of Charge Due to Strength of Volume Changes.** If there is a change in the strength and/or volume introduced into the treatment works by an industrial user as determined by the previous year's records, the Village shall adjust the user's charges accordingly.
- Section 11** **Adjust of Charge Due to Plant Improvement Utilizing State Grant Funds.** If there is an expansion or upgrading of the treatment works utilizing a state grant, each existing industrial user's share shall be adjusted accordingly.
- Section 12** **No Charge for Unused or Reserved Capacity.** An industrial user's portion of any state grant shall not include any portion of the grant amount allocable to unused or reserved capacity.
- Section 13** **Commitment for Increased Use.** An industrial user's portion of any state grant shall include allowance for the cost of any firm commitment to the Village for any increased use by the user.
- Section 14** **Payment to The State of Illinois Required.** The Village shall retain fifty (50) percent of the amounts recovered from industrial users. The remainder, together with any interest earned, shall be returned to the State of Illinois anti-pollution fund on an annual basis.
- Section 15** **Disposition of Retained Amounts.** Eighty (80) percent of the retained amounts, together with interest earned, shall be used solely for the eligible costs of the expansion or reconstruction of treatment works associated with the project and necessary to meet the requirements of the Federal Act and the State of Illinois. The Village, prior to the commitment of the retained amounts, shall obtain written approval from the Illinois Environmental Protection Agency for any expansion or reconstruction. The remainder of the retained amounts may be used for the expenditures as the Village deems appropriate.

- Section 16** **Investment of Retained Amounts Required.** Pending use, the grantee shall invest the retained amounts for reconstruction and expansion in: 1) obligations of the U.S. government; or 2) obligations guaranteed as to principal and interest by the U.S. government or any agency thereof; or 3) shall deposit the amounts in accounts fully collateralized by obligations of the U.S. government or by obligations fully guaranteed as to principal and interest by the U.S. government or any agency thereof.
- Section 17** **Village Treasurer Responsibility.** The Village Treasurer shall maintain the necessary records for determination of user share of necessary records for determination of user share of the cost and shall provide the billing and collection services as required by Article 9, Section 1 and Article 11, Section 1.
- Section 18** **The Village Treasurer Responsibility.** The Village Treasurer shall be responsible for the investment and expenditure of all monies collected for industrial cost recovery in accordance with Article 10, Sections 14, 15, and 16.
- Section 19** **Monitoring Required.** The Village shall maintain a program of monitoring industrial user discharges as the Village deems necessary provided that any major contributing industry shall be monitored no less than twelve (12) times annually and any industrial user that has a population equivalent as determined by Article 10, Section 2 greater than or equal to fifty (50), shall be monitored no less than once annually. All other industrial users shall be monitored at such frequency as deemed necessary by the Village and/or City of East Moline for determination of the population equivalent of the industrial user. The monitoring data collected shall be used to determine the population equivalent in accordance with Article 10, Section 2.

Article 11
Effective Date of Rates

For the purpose of the operation of the sewerage system, the calendar year shall be divided into four (4) quarterly periods, the periods to begin on the first (1st) day of January, April, July, and October. The rates or charges for the service above provided shall be payable quarterly on or before the twenty-fourth (24th) day of the month immediately following the end of the quarterly period for which the service has been supplied.

Article 12
General Provisions

Section 1 **Bills.** The rates or charges for service shall be payable quarterly.

- 1.1 The owner of the premises, the occupant thereof, and the user of the service shall be jointly and severally liable to pay for the service to 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.
- 1.2 The combined bill for water, sewer, and garbage disposal, shall be for three (3) month periods beginning on January 1, April 1, July 1, and October 1 of each year.
- 1.3 The combined bill shall be sent out by the Village Collector during the first ten (10) days of the month succeeding the period for which the service is billed.
- 1.4 All combined bills are due and payable at the office of the Village Collector on or before, or post-marked by the twenty-fourth (24th) day of the first month of the next quarter following the billing period.
- 1.5 Upon failure of the sewer user to pay the sewer portion of the combined bill on or before or have it post-marked by the twenty-fourth (24th) day of the first month of the next quarter following the billing period as aforementioned, a late penalty of ten (10) percent may be charged by the Village.

Section 2 **Delinquent Bills.** On failure to pay the sewer bill on or before the thirtieth (30th) day of the first month of the next quarter following the billing period, the Village Collector shall prepare or cause to be prepared and shall mail by first-class mail to the address where the sewer service is in use unless another address has been provided, giving notice to the occupants that water service to the location shall be turned off at the end of fifteen (15) days from the date of mailing the notice.

If at the close of the business day of the fifteenth (15th) day following the mailing of the notice, the sewer bill, together with the service charge and/or the late charge are not paid, the Village Collector shall notify the water superintendent or the sewer superintendent in writing to discontinue water service to the property and the superintendent shall disconnect water service immediately, pursuant to the written notice, and shall further indicate to the Village Collector in writing, that said water service was disconnected.

The following rates and charges shall be in full force and effect with respect to sewer users who are also metered users in the Village:

There shall be a charge due the Village upon the mailing of a fifteen (15) day notice to the sewer user. The above-stated charge will be based on the current postage rates.

The following rates and charges shall be in full force and effect with respect to sewer users who are not metered water users in the Village.

There shall be a charge due the Village upon the mailing of a fifteen (15) day notice to the sewer user. The above-stated charge will be based on the current postage rates.

Section 3 **Lien – Notice of Delinquency.** Whenever a bill for sewer services remains unpaid after the fifteen (15) day notice has been rendered, the Village Collector shall file with the County Recorder of Deeds a statement of the lien claim. This statement shall contain the legal description of the premises served, the amount of the unpaid bill together with the amount of the late charge or charges, and any other charges due plus interest on the amount of the lien at the rate of eighteen (18) percent per annum which runs from the date of the lien, and a notice that the Village claims a lien on the described real estate.

If the user whose bill is unpaid is not the owner of the premises, notice shall be mailed to the owner of the premises, if his address is known, whenever such bill remains unpaid after the fifteen (15) day notice has been rendered.

The failure of the Village Collector to record such a lien or to mail a notice, or the failure of the owner to receive the notice, shall not affect the right to foreclose the lien for unpaid bills as mentioned in the foregoing section.

If the Village Collector has filed a lien claim with the County Recorder of Deeds. In that case, before the Village executes and files a release of the lien claim with the County recorder of deeds, there shall be paid to the Village Collector all outstanding amounts due to the Village, including the late charge or charges and all service charges, plus the sum of all costs associated to cover the Village's expenses with recording and releasing the lien with the County Recorder.

Section 4 **Foreclosure of Lien.** Property subject to a lien for unpaid charges shall be sold for non-payment 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. The foreclosure shall be by bill-in-equity in the name of the Village. The Village Attorney is authorized and directed to institute the proceedings in the name of the Village in any court having jurisdiction over the matters against any property for which the bill has remained unpaid twenty-one (21) days, in the case of a monthly bill after it has been rendered.

Section 5 **Revenues.** All revenues and monies derived from the operation of the sewerage system shall be deposited in the sewerage account of the sewerage fund. All the revenues and monies shall be held by the Village Clerk separate and apart from his private funds and separate and apart from all other funds of the Village and all of the sum, without any deductions, shall be delivered to the Village Treasurer not

more than ten (10) days after receipt of the same, or at the more frequent intervals as may from time to time be directed by the President and Board of Trustees.

The Village Treasurer shall receive all the revenues from the sewerage system and all other funds and monies incident to the operation of the system as the same may be delivered to him and deposit the same in the account of the fund designated as the "Sewerage Fund of the Village of Carbon Cliff". The treasurer shall administer the fund in every respect in the manner provided by the statute of the "Revised Cities and Villages Act," effective January 1942.

Section 6 **Accounts.** The Village Treasurer shall establish a proper system of accounts and shall keep proper books, records, and accounts in which complete and correct entries shall be made of all transactions relative to the sewerage system, and 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.

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:

- 6.1 Flow data showing total gallons received at the wastewater plant for the current fiscal year.
- 6.2 Billing data to show total number of gallons billed.
- 6.3 Debt service for the next succeeding fiscal year.
- 6.4 Number of users connected to the system.
- 6.5 Number of non-metered users.
- 6.6 A list of users discharging non-domestic wastes (industrial users) and volume of waste discharged.

Section 7 **Notice of Rates.** A copy of this article properly certified by the Village Clerk shall be filed in the office of the recorder of deeds of Rock Island County and shall be deemed notice to all owners of real estate of the charges of the sewerage system of said Village on their properties.

Section 8 **Access to Records.** The Illinois Environmental Protection Agency or its authorized representative shall have access to any books, documents, paper, and records of the Village which are applicable to the Village system of user charges or industrial cost recovery for the purpose of making audits, examinations, excerpts, and transcriptions thereof to ensure compliance with the terms of the special and general conditions to any state grant.

Article 13**Sewerage System Service and Funds and Payment Fees**

- Section 1** **Accounting.** The Village Treasurer shall establish a proper system of accounts and shall keep proper books, records, and accounts separate from all other records and accounts, in which complete and correct entries shall be made of all transactions relating to the sewerage system.
- Section 2** **Funds to be Kept Separate and Apart.** The Village Clerk and treasurer shall keep separate and apart from all other funds of the Village monies received for any and all fees and charges collected by him in connection with the operation of the sewerage system.
- Section 3** **Treasurer to Deposit Revenues, Etc.** in Sewerage Fund and Administer Fund, Etc. The Village Treasurer shall deposit the funds received from the operation of the sewerage system and all other funds and monies incident to the operation of the system in a separate fund designated as the "Sewerage Fund" of the Village and shall divide and administer the fund in every respect in the manner provided in this ordinance and as provided by statute.
- Section 4** **Payments from Sewerage Fund.** The funds and monies deposited in the sewerage fund of the Village shall be paid out by the Village Treasurer upon due authorization of the Village Board of Trustees for the following purposes only:
- 4.1 Maintenance and repair of the existing sewerage system.
 - 4.2 A reserve fund to be built up to and maintained at Four Thousand Eight Hundred Dollars (\$4,800) to guarantee and be used only for payment of sewer system bonded indebtedness including special assessment bonds if collections fail to be adequate to meet payments when due, or to help make the final payment on any bonded indebtedness including special assessment bonds.
 - 4.3 A public benefits fund covering the Village's share of the cost of special assessment projects on new sewerage systems, including only that portion which is assessed against the Village as a public benefit.
 - 4.4 Extensions and alterations to the existing sewerage system, but only where the extensions and alterations are of a character that will tend to benefit the Village as a whole or a substantial portion thereof.
 - 4.5 General corporate purposes which benefit the Village as a whole or substantial portion thereof, but only from funds collected as connection fees pursuant to Article 9, Section 4 of this title which are not needed for expansion of the works of the system to meet the requirements of new users thereof.

Article 14
Penalties

- Section 1** **Notice of Violation.** Any person found to be violating any provision of this Title VI, except Article 5 (See Article VI, Article 5, Section 15), shall be served by the Village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in the notice, permanently cease all violations. The Village may revoke any permit for sewage disposal as a result of any violation of any provision of this ordinance.
- Section 2** **Penalty.** Any person who shall continue any violation beyond the time limit provided for in Article 14, Section 1, shall be guilty of a misdemeanor, and on conviction thereof, shall be fined in the amount not exceeding seven hundred fifty dollars (\$750.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
- Section 3** **Liability.** Any alleged violator found to be violating any provision of this Title VI shall be liable for any and all costs, if any, for damage to any part of the Village's sewer system attributable to such violation.
- Section 4** **Liability of Violators.** Any person violating any of the provisions of this ordinance shall become liable to the Village by reason of such violation.”