
VILLAGE OF LA GRANGE, ILLINOIS
NPDES PERMIT NO. ILM580009



COMBINED SEWER OVERFLOW LA GRANGE SEWER USE ORDINANCE

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
Division of Water Pollution Control
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**VILLAGE OF LA GRANGE - CODE OF ORDINANCES
TITLE V- PUBLIC WORKS**

CHAPTER 51: SEWER USE

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GENERAL PROVISIONS

§ 51.01 SCOPE.

This chapter takes precedence over any pre-existing ordinance/agreement which is not consistent with Section 204 (b) (1)(A) of the Clean Water Act and 40 CFR, Subpart E. ('69 Code, § 54-1)

§ 51.02 DEFINITIONS.

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

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

APPROVING AUTHORITY. The Village Manager acting under the authority of the Village President and Board of Trustees.

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

BOD or BIOCHEMICAL OXYGEN DEMAND. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, in five days, at 20° Celsius, expressed in milligrams per liter.

BUILDING DRAIN. That part of the lowest piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer or other approved point of discharge, beginning five feet outside the inner face of the building wall.

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

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

COMMERCIAL USER. Shall include transit lodging, restaurants, retail and wholesale outlets, places engaged in selling merchandise or business rendering services.

DEBT SERVICE CHARGE. The amount to be paid each billing period for payment of interest, principal and coverage of outstanding loans, bonds and the like. It shall be computed by dividing the annual debt service by the number of users connected to the wastewater facilities.

DIRECTOR. The director of the Illinois Environmental Protection Agency.

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

EFFLUENT CRITERIA. Defined in any applicable NPDES permit.

FEDERAL ACT. The federal Water Pollution Control Act (33 U.S.C. 1251 et seq. as amended by the Federal Water Pollution Control Act Amendments of 1972.

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.

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

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

INDUSTRIAL USER. Establishments engaged in manufacturing activities involving the mechanical or chemical transformation of substances into products.

INDUSTRIAL WASTE. Any solid, liquid or gaseous substance discharged, permitted to flow or escaping from any industrial, manufacturing, commercial or business establishment or process or from the development, recovery or processing of any natural resource, as distinct from sanitary sewage.

INSPECTION MANHOLE. A structure, located on a site from which industrial wastes are discharged, to provide access for the village representative to sample and/or measure discharges. Where feasible, the manhole shall have an interior drop.

INSTITUTIONAL/GOVERNMENTAL. Schools, churches, hospitals, penal institutions and users associated with federal, state and local governments.

MAJOR CONTRIBUTING INDUSTRY. An industrial user of the publicly owned treatment works that:

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

MILLIGRAMS PER LITER. A unit of the concentration of water or wastewater constituent. It is 0.001 gram of the constituent in 1,000 milliliters of water. **MILLIGRAMS PER LITER** 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.

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

NPDES PERMIT or **NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT.** Any permit or equivalent document or requirements issued by the Administrator, or, where appropriated by the Director, after enactment of the Federal Water Pollution Control Amendment of 1972, to regulate the discharge of pollutants pursuant to section 402 of the federal act.

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

pH. The logarithm (base 10) of the reciprocal of the hydrogen-ion concentration expressed by one of the procedures outlined in "Standard Methods."

POPULATION EQUIVALENT. A term used to evaluate the impact of industrial or other waste on a treatment works or stream.

PPM. Parts per million, by weight.

PRETREATMENT. The treatment of wastewater from sources before introduction into the wastewater treatment works.

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

PUBLIC SEWER. A sewer provided by, or subject to, the jurisdiction of the village. It shall include sewers within or outside the village boundaries that serve one or more persons and ultimately discharge into the village sanitary (or combined) sewer system, even though those sewers may not have been constructed with village funds.

REPLACEMENT. Expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the service life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

RESIDENTIAL. All dwelling units such as single-family houses, mobile houses, apartments and permanent multi-family structures.

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

intentionally admitted.

SEWAGE. Used interchangeably with **WASTEWATER**.

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.

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

SLUG. Any discharge of water, sewage or industrial waste that in concentration of any given constituent or in quantity of flow exceeds for longer than 15 minutes more than five times the average 24-hour concentration or flows during normal operation.

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

STATE ACT. The Illinois Anti-Pollution Bond Act of 1970.

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

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 precipitation that is drained into sewers.

SURCHARGE. The assessment in addition to the basic user charge and debt service charge which is levied on those persons whose wastes are greater in strength than the concentration values established in §§ 51.80 through 51.86.

TOTAL SUSPENDED SOLIDS. Solids that either float on the surface of, or are in suspension in, water, sewage or industrial waste, and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedure set forth in "Standard Methods."

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

USEFUL LIFE. The estimated period during which the collection system and/or treatment works will be operated and shall be 50 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, maintenance and replacement.

USER CLASS. The type of user, either residential, institutional/governmental, commercial or industrial, as defined herein.

VILLAGE. The village of La Grange.

WASTEWATER. The spent water of a community. 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.

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

WASTEWATER SERVICE CHARGE. The charge per quarter or month levied on all users of the wastewater facilities. The service charge shall be determined as outlined in §§ 51.80 through 51.86 and shall consist of a basic user charge plus a debt service charge and/or a surcharge, if applicable.

WASTEWATER TREATMENT WORKS. An arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used as synonyms with **WASTE TREATMENT PLANT, WASTEWATER TREATMENT PLANT** or **POLLUTION CONTROL PLANT.**

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

WATER QUALITY STANDARDS. These are defined in the Water Pollution Regulations of Illinois. ('69 Code, § 54-5)

§ 51.03 DEPOSITING OBJECTIONABLE WASTE PROHIBITED.

It shall be unlawful for any person to place, deposit, or permit to be deposited in any insanitary 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.
(‘69 Code, § 54-10(a)) Penalty, see § 51.99

§ 51.04 DISCHARGING SEWAGE OR OTHER POLLUTED WATERS TO 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 water, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

('69 Code, § 54-10(b)) Penalty, see § 51.99

§ 51.05 PRIVIES, SEPTIC TANKS AND OTHER FACILITIES.

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage. ('69 Code, § 54-10(c)) Penalty, see § 51.99

§ 51.06 OWNER'S RESPONSIBILITY TO INSTALL SUITABLE TOILET FACILITIES.

The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the village and abutting on any street, alley or right-of-way in which there now is located or may in the future be located any public sanitary (or combined) sewer of the village, is hereby required, at his expense, to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer, in accordance with the provisions of this chapter, within 90 days after date of official notice to do so. ('69 Code, § 54-10(d)) Penalty, see § 51.99

§ 51.07 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. ('69 Code, § 54-30)

§ 51.08 RIGHT OF ENTRY FOR PURPOSE OF INSPECTION; INDEMNIFICATION; EASEMENTS ON PRIVATE PROPERTY.

- (A) The Village Manager and other duly authorized village employees, the Metropolitan Sanitary District of Greater Chicago, the Illinois Environmental Protection Agency and the U.S. Environmental Protection Agency, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this chapter. The Village Manager 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, waterway or facilities for waste treatment.
- (B) While performing the necessary work on private properties referred to in division (A), the Village Manager or duly authorized village employee, Metropolitan Sanitary District of Greater Chicago, the Illinois Environmental Protection Agency, and the U.S. Environmental Protection Agency shall observe all safety rules applicable to the premises established by the business and the business 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 business and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the business to maintain safe conditions as required in § 51.66.

- (C) The Village Manager 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 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. ('69 Code, § 54-35)

PRIVATE SEWAGE DISPOSAL SYSTEM

§ 51.20 CONNECTING BUILDING SEWER TO PRIVATE SEWAGE DISPOSAL SYSTEM

Where a public sanitary or combined sewer is not available under the provisions of § 51.06, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this subchapter. ('69 Code, § 54-15(a)) Penalty, see § 51.99

§ 51.21 WRITTEN PERMIT TO BE OBTAINED

Before commencement of construction of a private sewage disposal system the owner first shall obtain a written permit signed by the Village Manager. The application for such permit shall be made on a form furnished by the village, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Village Manager. A permit and inspection fee of \$25 shall be paid to the village at the time the application is filed. ('69 Code, § 54-15(b)) Penalty, see § 51.99

§ 51.22 INSPECTION AND APPROVAL OF INSTALLATION.

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Village Manager. 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 Manager when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 24 hours of the receipt of written notice by the Village Manager. ('69 Code, § 54-15(c)) Penalty, see § 51.99

§ 51.23 COMPLIANCE WITH STATE REGULATIONS AND AGENCIES.

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 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 43,560 square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet. ('69 Code, § 54-15(d)) Penalty, see § 51.99

§ 51.24 CONNECTING PRIVATE SEWAGE DISPOSAL SYSTEM TO PUBLIC SEWER.

At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in § 51.06, a direct connection shall be made to the public sewer in compliance with this chapter and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material as described in the village plumbing code. ('69 Code, § 54-15(e)) Penalty, see § 51.99

§ 51.25 MAINTENANCE OF PRIVATE SEWAGE DISPOSAL 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. ('69 Code, § 54-15(f)) Penalty, see § 51.99

§ 51.26 MAINTENANCE WITH ADDITIONAL REQUIREMENTS.

No statement contained in this subchapter shall be construed to interfere with any additional requirements that may be imposed by the Village Manager. ('69 Code, § 54-15(g))

§ 51.27 CONNECTING BUILDING SEWER TO PUBLIC SEWER.

When a public sewer becomes available, the building owner shall be connected to the sewer within 90 days after receipt of an official notice to make the connection and the private sewage disposal system shall be cleaned of sludge and filled as described in the village plumbing code. ('69 Code, § 54-15(h))

BUILDING SEWERS AND CONNECTIONS

§ 51.40 CONNECTION PERMIT REQUIRED.

No unauthorized person shall uncover, make any connections with or opening into; use, alter or disturb any public sewer or appurtenance thereof, without first obtaining a written permit from the Village Manager. ('69 Code, § 54-20(a)) Penalty, see § 51.99

§ 51.41 COMPLIANCE WITH FEDERAL, STATE AND LOCAL STANDARDS.

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. ('69 Code, § 54-20(b))

§ 51.42 BUILDING SEWER PERMITS.

- (A) There shall be two classes of building sewer permits:
- (1) For residential and commercial service; and
 - (2) For service to establishments producing industrial wastes.

In either case, the owner or his agent shall make application on a special form furnished by the village. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Village Manager. A permit and inspection fee for a residential or commercial building sewer permit shall be paid to the village at the time the application is filed. The industry, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics and type of activity.

- (B) A building sewer permit will only be issued and a sewer connection shall only be allowed if it can be demonstrated that the downstream sewerage facilities, including sewers, pump stations and wastewater treatment facilities, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load. ('69 Code, § 54-20(c), (d)) Penalty, see § 51.99

§ 51.43 SEWER CONNECTION CHARGES; OWNER COSTS; INDEMNIFICATION.

- (A) Connection Charges. No tap shall be allowed into a Village sewer main, and no connection of a building sewer shall be allowed to a Village sewer main, until after the required connection charges for such tap and connection shall have been paid. The Board of Trustees shall establish the required connection charges from time-to-time, a schedule of which charges shall be maintained in the office of the Village Clerk.

- (B) Owner Costs. All costs and expenses incident to the installation and connection of a building sewer shall be borne by the owner. The Village shall not be responsible or liable for any such costs or expenses.
- (C) Owner Indemnification. As a condition for Village authorization of a connection of a building sewer to a Village sewer main, the owner shall indemnify and hold harmless the Village from any and all claims, losses, injuries, and damages that arise from or are in any way related to the installation or connection of the building sewer.
(‘69 Code, § 54-20(e)) Penalty, see § 51.99 (Amend Ord. 0-04-04; passed 1-26-04)

§ 51.44 SEPARATE BUILDING SEWER PROVIDED FOR EVERY BUILDING.

A separate and independent building sewer shall be provided for every building, except that where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, The building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. (‘69 Code, § 54-20(f)) Penalty, see § 51.99

§ 51.45 USE OF OLD BUILDING SEWERS WITH NEW BUILDINGS.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the village, to meet all requirements of this chapter.
(‘69 Code, § 54-20(g))

§ 51.46 SIZE AND SLOPE; ALIGNMENT AND LAYING OF BUILDING SEWER.

The size, slope, alignment and materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, joining, testing and backfilling the trench, shall conform to the requirements of the plumbing code or other applicable rules and regulations of the village. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the “American Society of Testing Materials, Water Pollution Control Federation Manual of Practice No. 9” and “Standard Specifications for Water and Sewer Main Construction in Illinois” shall apply. (‘69 Code, § 54-20(h))

§ 51.47 BUILDING DRAINS; GRAVITY FLOW TO PUBLIC SEWERS; APPROVED LIFTERS.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by a means which is approved in accordance with § 51.41 and discharged to the building sewer.
(‘69 Code, § 54-20(i))

§ 51.48 CONNECTION OF SOURCES OF SURFACE RUNOFF OR GROUNDWATER.

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.

('69 Code, § 54-20(j)) Penalty, see § 51.99

§ 51.49 PROCEDURES AND MATERIALS TO CONFORM TO APPROPRIATE SPECIFICATIONS.

The connection of the building sewer into the public sewer shall conform to the requirements of the plumbing code or other applicable rules and regulations of the village or the procedures set forth in appropriate specifications of the “American Society of Testing Materials, Water Pollution Control Federation Manual of Practice No. 9” and “Standard Specifications for Water and Sewer Main Construction in Illinois.” All such connections shall be made gas-tight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Village Manager before installation. ('69 Code, § 54-20(k)) Penalty, see § 51.99

§ 51.50 INSPECTION OF CONNECTIONS TO PUBLIC SEWER.

The applicant for the building sewer permit shall notify the Village Manager 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 Manager or his representative.

('69 Code, § 54-20(l)) Penalty, see § 51.99

§ 51.51 EXCAVATIONS.

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

('69 Code, § 54-20(m)) Penalty, see § 51.99

§ 51.52 RESPONSIBILITY OF PROPERTY OWNER.

Replacement and maintenance of such connections and service pipes, up to and including the connection to the public sewer, remain the responsibility of the property owner.

(Am. Ord. 0-91-39, passed 10-14-91)

USE OF PUBLIC SEWER

§ 51.60 DISCHARGE OF STORMWATER AND OTHER UNPOLLUTED DRAINAGE.

- (A) No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, sub-surface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.
- (B) Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the Village Manager. Industrial cooling water or unpolluted process waters may be discharged, on approval of the building commissioner, to a storm sewer, combined sewer or natural outlet. ('69 Code, § 54-25(a), (b)) Penalty, see § 51.99

§ 51.61 PROHIBITED DISCHARGES TO PUBLIC SEWERS.

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

- (A) Gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas;
- (B) Waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, that 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) Water or waste 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 fleshings, entrails and paper dishes, cups, milk containers and the like either whole or ground by garbage grinders. ('69 Code, § 54-25(c)) Penalty, see § 51.99

§ 51.62 DISCHARGE OF CERTAIN WASTES RESTRICTED.

No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes, if it appears likely in the opinion of the Village Manager that such wastes can harm either the sewer's sewage treatment process or equipment; have an adverse effect on the receiving stream or can otherwise endanger life, limb or public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Village

Manager will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant and maximum limits established by regulatory agencies. The substances prohibited are:

- (A) Liquid or vapor having a temperature higher than 150° Fahrenheit;
- (B) Waters or wastes combining toxic or poisonous materials; or oils, whether emulsified or not, in excess of 100 milligrams per liter, or containing substances which may solidify or become viscous at temperatures between 32° and 150° Fahrenheit;
- (C) Garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of $\frac{3}{4}$ horsepower or greater shall be subject to the review and approval of the Village Manager;
- (D) Waters or waste containing strong acid, iron pickling wastes or concentrated plating solutions, whether neutralized or not;
- (E) Waters or wastes containing iron, chromium, copper, zinc or similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement to such a degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Village Manager for such materials;
- (F) Waters or wastes containing phenol or other taste- or odor-producing substances, in such concentrations exceeding limits which may be established by the Village Manager as necessary after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies or jurisdictions for such discharge to the receiving waters;
- (G) Radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Village Manager in compliance with applicable state or federal regulations;
- (H) Waters or waste having a pH in excess of 9.5;
- (I) Mercury or any of its compounds in excess of 0.0005 milligrams per liter as Hg at any time except as permitted by the Village Manager in compliance with applicable state and federal regulations;
- (J) Any cyanide in excess of 0.025 milligrams per liter at any time except as permitted by the Village Manager in compliance with applicable state and federal regulations;
- (K) Materials which exert or cause:
 - (1) Unusual concentrations of inert suspended solids (such as, but not limited to, 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 such quantities as to constitute a significant load on the sewage treatment works;
 - (4) Unusual volume of flow or concentrations of wastes constituting slugs; and
- (L) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters.
(‘69 Code, § 54-25(d)) Penalty, see § 51.99

§ 51.63 PRETREATMENT, EQUALIZATION OF WASTE FLOWS.

- (A) If any waters or wastes are discharged or are proposed to be discharged into the public sewers, which waters contain the substances or possess the characteristics enumerated in § 51.62 and/or which are in violation of the standards 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 Manager 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 Manager may:
- (1) Reject the wastes;
 - (2) Require pretreatment to an acceptable condition for discharge into the public sewers;
 - (3) Require control over the quantities and rates of discharge; and/or;
 - (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 § 51.66(H) through (K).
- (B) If the Village Manager permits 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 Village Manager and subject to the requirements of all applicable codes, ordinances and laws. (‘69 Code, § 54-25(f)) Penalty, see § 51.99

§ 51.64 GREASE, OIL AND SAND INTERCEPTORS.

Grease, oil and sand interceptors shall be provided when, in the opinion of the Village Manager, 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 Manager and shall be located as to be readily and easily accessible for cleaning and inspection.
(‘69 Code, § 54-25(g)) Penalty, see § 51.99

§ 51.65 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.
(‘69 Code, § 54-25(h))

§ 51.66 CONTROL MANHOLE; MEASUREMENTS, TASKS AND ANALYSES.

- (A) Each industry shall be required to install an inspection manhole and, when required by the Village Manager, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable inspection manhole, together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the waste.
- (B) Such manhole, when required, shall be accessibly and safely locked, and shall be constructed in accordance with plans approved by the Village Manager.
- (C) 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.
- (D) The owner of any property serviced by a building sewer carrying industrial waste shall provide laboratory measurement, tests and analyses of water and wastes to illustrate compliance with this chapter and any special conditions for discharge established by the Village Manager, the Metropolitan Sanitary District of Greater Chicago or any other regulatory agencies having jurisdiction over the discharge.
- (E) The number, type and frequency of laboratory analyses to be performed by the owner shall be as stipulated by the village, but no less than once per year the industry must supply a complete analysis of the constituents of the wastewater discharge, to assure that compliance with the federal, state, and local standards are being met. The owner shall report the result of measurement and laboratory analyses to the village at such times and in such manner as prescribed by the village.
- (F) The owner shall bear the expense of all measurement, analyses and reporting required by the village.

- (G) At such times as deemed necessary, the village reserves the right to take measurements and samples for analysis by an outside laboratory service.
- (H) All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association and shall be determined at the inspection manhole provided or upon suitable samples taken at the inspection manhole.
- (I) In the event that no special manhole has been required the inspection manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.
- (J) 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.
- (K) The particular analyses involved will determine whether a 24-hour composite of all outfalls of a premise is appropriate or whether a grab sample should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composite of all outfalls, whereas pH's are determined from periodic grab samples. ('69 Code, § 54-25(i), (j), (k)) Penalty, see § 51.99

§ 51.67 INDUSTRIAL WASTES; SPECIAL AGREEMENT.

No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the village and any industrial concern, whereby an industrial waste of unusual strength or character may be accepted by the village for treatment, subject to payment therefor, in accordance with §§ 51.80 through 51.86, by the industrial concern, provided such payments are in accordance with federal and state guidelines for the user charge system. ('69 Code, § 54-25(l))

WASTEWATER SERVICE CHARGE SYSTEM

§ 51.80 COMPLIANCE WITH FEDERAL GUIDELINES.

This section takes precedence over any pre-existing ordinance/agreements which are not consistent with section 204(b)(1)(A) of the Clean Water Act and 40 CFR Sub-part E. ('69 Code, § 50-36(a))

§ 51.81 BASIS OF CHARGE.

- (A) The wastewater service charge established by this section for the use of and for services supplied by the wastewater facilities of the village, shall consist of a basic charge for operations and maintenance plus replacement cost as determined by this section.
- (B) The user charge shall be based upon the water usage of each contributor to the sewer system. Usage shall be determined by the metered water consumption of each user as a part of the user's water bill. The volume of flow used for computing the basic user charges shall be the metered water consumption read to the lowest even increments of 100 cubic feet.
- (C) The charge shall consist of normal operation and maintenance costs, plus replacement costs incurred by the village. The village will maintain records of all such costs to develop the user fee structure. The replacement cost component of the charge rate shall reflect the projected replacement needs of the village over a 20-year planning period.
- (D) The adequacy of the wastewater service charge shall be reviewed annually by the village and a statement provided in the annual audit report regarding the status of the costs. The service charge shall be revised after the review, if necessary, to reflect changes in the operation and maintenance and replacement costs. The village will notify its users annually of the sewer service charge to be applied in the next period, following each review.
- (E) A surcharge rate will be levied to all users whose wastewater exceeds the normal domestic concentration for biochemical oxygen demand (BOD) and total suspended solids (TSS) identified as 200 milligrams per liter plus or minus 50 milligrams per liter and 250 milligrams per liter plus or minus 50 milligrams per liter, respectively. The surcharge will be based upon the metered water consumption as recorded by the user's water meter.
- (F) The concentration of the wastewater used for determining the surcharge rate 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 surcharge. ('69 Code, § 50-36(b))

§ 51.82 USER RATE.

- (A) The user rate shall be and is hereby established for the use of, and for sewers supplied by the wastewater facility of the Village. The rate after May 1, 2004, shall be sixty-three cents (\$.630) per one hundred (100) cubic feet of water purchased by the user, with a minimum charge of four dollars and twenty-one cents (\$4.21) for each two-month billing period applied to all users whose water consumption does not exceed six hundred (600) cubic feet and with a minimum charge of two dollars and eleven cents (\$2.11) for each one-month billing period applied to all users whose water consumption does not exceed three hundred (300) cubic feet.
- (B) The surcharge rate shall be applied in addition to the user rate and shall be based upon the strength of the waste flow measured. A minimum surcharge of \$.05 per 100 cubic feet of water purchased by the user shall be assessed for BOD concentrations greater than 250 milligrams per liter and for TSS concentrations greater than 300 milligrams per liter. A greater surcharge rate may be set by the village, based upon the magnitude of the waste concentration and its impact on the operation and maintenance of the village's wastewater facilities.
- (C) The user rate shall be and is hereby established for the use of, and for sewers supplied by, the village wastewater facility for all non-residential accounts outside the corporate limits of La Grange and shall be 50% more than the rate as stated in division (A) above. ('69 Code, § 50-36(c)) (Am. Ord. 0-91-16, passed 4-8-91; Am. Ord. 0-92-26, passed 4-13-92; Am. Ord.0-93-19, passed 4-12-93; Am. Ord. 0-94-22, passed 4-25-94; Am. Ord. 0-03-24, passed 5-14-03; Am. Ord. 0-04-16, passed 4-26-04).

§ 51.83 BILLING PROCEDURE.

- (A) The user charge for wastewater service established by this section shall be payable on a monthly or bimonthly basis, consistent with that required for the water service billing.
- (B) All bills for the wastewater service charge shall be payable with the regular water service bill at the village office. All such bills not paid within 15 days from their date shall be deemed delinquent. Discontinuance of water service, after notice of hearing before the Village Manager and Finance Officer, or designated agents of each of said officers, in which opportunity is given to present evidence and argument to show cause why such service should not be disconnected, shall become effective within 10 days after notification to the customer of the decision to disconnect. No change of tenancy or occupancy after any water bill has become due shall affect the application of this section.
- (C) Whenever the water supply service has been cut off because of violation of any provision of this chapter or on account of the failure to pay the wastewater service bill or bills for other charges provided in this chapter and water service is again requested, a service charge for restoring the water service shall be paid to the village in the sum of \$10.

- (D) Upon the termination of water service and the payment for all water previously furnished, any amount remaining of the deposit, if any, originally made shall be returned by the water department to the applicant, upon surrender of the initial deposit receipt.
- (E) The final responsibility for a delinquent sewer use bill shall be the liability of the property owner. If all attempts to collect monies due fail, the owner of the property shall be notified that water service will not be restored until all monies due have been received by the village.
- (F) If any bill or claim for wastewater service supplied by the village to any property within the village shall not be paid when due and shall continue in default for a period of 30 days after the date of the bill, the village, by its proper authorities, may cause a sworn statement of lien upon the property to be filed in the office of the Recorder of Cook County, Illinois, setting forth:
 - (1) A description of such real estate sufficient for the identification thereof;
 - (2) The amount of money due for such service;
 - (3) The date when such amount became delinquent; and
 - (4) The name of the owner or occupant of the real estate.

The village may thereupon proceed in a court of chancery of competent jurisdiction to enforce its lien. ('69 Code, § 50-36(d))

§ 51.84 RECORDS AND REVENUES.

- (A) All revenues and monies derived from the operation of the sewer system shall be deposited in the sewer account of the sewer fund. All such revenues and monies shall be held by the Village Treasurer, 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 whatsoever, shall be delivered to the Village Treasurer not more than 10 days after receipt of same or at such more frequent intervals as may from time to time be directed by the President and Board of Trustees.
- (B) The Village Treasurer shall receive all such revenues from the sewer system and all other funds and monies incident to the operation of such system as the same may be delivered to him and deposit the same in the account of the fund designated "Sewer Fund of the Village of La Grange." The Treasurer shall administer such fund, in every respect, in the manner provided by the statute of the Illinois Municipal Code.
- (C) 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 sewer and at regular annual intervals shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the sewer system.

(D) In addition to the customary operating statements, the annual audit report also shall 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:

- (1) Billing data to show total number of gallons billed; and
- (2) Number of users connected to the system. ('69 Code, § 50-36(e))

§ 51.85 NOTICE OF RATES.

Each user shall be notified by the village, in conjunction with the regular water service billing, of the rate and that portion of the user charges which are attributable to the wastewater services provided. ('69 Code, § 54-30(f))

§ 51.86 ACCESS TO RECORDS.

The Illinois Environmental Protection Agency or its authorized representative shall have access to any books, documents, papers and records of the village which are applicable to the village system of user charges for the purpose of making audit, examination, excerpts and transcriptions thereof to ensure compliance with the terms of the special and general conditions to any state grant. ('69 Code, § 54-30(g))

§ 51.98 NOTICE OF VIOLATION; LIABILITY.

- (A) Any person found to be violating any provision of this chapter except § 51.07 shall be served by the village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. The village may revoke any permit for sewage disposal as a result of any violation of any provision of this chapter.
- (B) Any person violating any of the provisions of this chapter shall become liable to the village by reason of such violation. ('69 Code, § 54-40(a), (c))

§ 51.99 PENALTY.

Any person who shall continue any violation beyond the time limit provided for in § 51.98 shall be guilty of a misdemeanor, and on conviction therefor shall be fined in the amount not exceeding \$300 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense. ('69 Code, § 54-40(b))