

ORDINANCE NO. 1878

AN ORDINANCE AMENDING TITLE 13 WATER AND SEWER OF THE CITY OF CREST HILL CODE OF ORDINANCES TO ADD CHAPTERS 13.18 WATER CONNECTIONS, INCLUDING SECTIONS 13.18.010, 13.18.020, AND 13.18.030, AND 13.30 SEWER USE AND WASTEWATER PRETREATMENT ORDINANCE, INCLUDING SECTIONS 13.30.101 THROUGH 13.30.1604, ADDING SECTION 13.04.005, AND AMENDING SECTIONS 13.04.060, 13.04.120 OF CHAPTER 13.04, SECTIONS 13.08.010, 13.08.014, 13.08.016, 13.08.017, 13.08.018, 13.08.080 OF CHAPTER 13.08, AND SECTION 13.28.010 OF CHAPTER 13.28.

WHEREAS, the City of Crest Hill is authorized by Sections 11-109-1 and 11-139-8 of the Illinois Municipal Code to, among other things, regulate the use of culverts, drains and sewers, and may make, enact, and enforce all needful rules, regulations, and ordinances for the care and protection of a combined waterworks and sewerage system as may be conducive to the preservation of the public health, comfort and convenience (65 ILCS 5/11-109-1 and 65 ILCS 5/11-139-8); and

WHEREAS, the City of Crest Hill is also authorized and empowered by the Illinois Municipal Code to abate and reduce the pollution of waters cause by industrial waste discharge; and

WHEREAS, the City of Crest Hill has previously exercised said authority by adopting Title 13 of the Crest Hill City Code, a comprehensive set of water and sewer ordinances; and

WHEREAS, the City of Crest Hill has been issued a National Pollutant Discharge Elimination System (NDPES) permit by the Illinois Environmental Protection Agency, and

WHEREAS, the City of Crest Hill, through its Corporate Authorities, has determined that it is reasonable and necessary to exercise its authority to regulate sewer use, prevent the introduction of pollutants into its wastewater facilities, and to comply with its NDPES permit, applicable state and federal laws, including the Clean Water Act, 33 U.S.C. 1251, et. seq.; and

WHEREAS, pursuant to its express authority granted by the Illinois Municipal Code, the City of Crest Hill has from time to time deemed it necessary to amend its Code of Ordinances; and

WHEREAS, the City Council has determined that the City of Crest Hill Code should be amended to add to Title 13 Water and Sewer, a new Chapter 13.30 SEWER USE AND WASTEWATER PRETREATMENT ORDINANCE, a new Chapter 13.18 WATER CONNECTIONS, to add to Chapter 13.04 a new Section 13.04.005, and to amend other sections of Chapters 13.04, 13.08, and 13.28 to maintain consistency with the new Chapters, specifically Sections 13.04.060, 13.04.120, 13.08.010, 13.08.014, 13.08.016, 13.08.017, 13.08.018, 13.08.080, 13.28.010.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Crest Hill, Illinois, as follows:

SECTION 1: PREAMBLE. The preamble of this Ordinance is declared to be true and correct and is incorporated by reference as if fully set forth in this Section 1.

SECTION 2: APPROVAL. Title 13 WATER AND SEWER of the Crest Hill City Code shall be amended to add new Chapter 13.18 WATER CONNECTIONS (including Sections 13.18.010 through 13.18.030), new Chapter 13.30 SEWER USE AND WASTEWATER PRETREATMENT ORDINANCE (including Sections 13.30.101 through 13.30.1604), and new Section 13.04.005, and to repeal and replace Sections 13.04.060, 13.04.120 of Chapter 13.04, Sections 13.08.010, 13.08.014, 13.08.016, 13.08.017, 13.08.018, and 13.08.080 of Chapter 13.08, and Section 13.28.010 of Chapter 13.28 in their entirety, as follows:

CHAPTER 13.04: General Provisions

Section

- 13.04.005 Chapter 13.30 controlling
- 13.04.010 Supervision of waterworks and sewerage system; City Clerk
- 13.04.020 Service Contracts
- 13.04.030 Combined waterworks and sewerage system
- 13.04.040 Maintenance, operation and rates; depreciation fund
- 13.04.041 Care, upkeep and repair of sewer and water lines
- 13.04.050 Restrictions on existing utility companies
- 13.04.060 Tapping on to water and sewer facilities; required; restrictions
- 13.04.065 Size of water line connections to new structures
- 13.04.070 Permit for connection required
- 13.04.080 Revocation of connection permit
- 13.04.090 Temporary connection; permit
- 13.04.100 Temporary connection; supervision required
- 13.04.105 Extension of sewer or water stubs
- 13.04.110 Equitable connection charges
- 13.04.111 Equitable charges for use expansion; P.E. determinations for tap-on fee calculations
- 13.04.115 Equitable connection surcharge for extension of sewer and water stubs
- 13.04.120 Service charge for turn-off, turn-on or repair

Cross reference

Identity Theft Program see Section 2.04.100

§ 13.04.005 Chapter 13.30 controlling.

In the event of a conflict between any Chapter or Section of this Title and Chapter 13.30, Chapter 13.30 shall control.

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

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

this section. Fees shall be paid prior to the issuance of any building permits to the owner or construction representative.

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

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

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

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

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

Whenever any person requests that the city turn off or turn on any water service, outside of the normal business hours of the Public Works Department resulting in an overtime call out to any residential, commercial or industrial user, a \$60 service charge for each and every action taken by the city shall be imposed upon the person making the request.

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

CHAPTER 13.08: SEWER CONNECTIONS

§ 13.08.010 DEFINITIONS.

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

BUILDING DRAIN PIPE. The part of the lowest piping of a drainage system in a building which receives discharge and Wastewater and conveys it to the Building Sewer, or other approved point of discharge. The Building Drain Pipe ends five (5) feet (1.5 meters) outside the inner face of the building wall. Discharge of stormwater runoff to the Building Drain Pipe or Sanitary Sewer is prohibited.

BUILDING OR HOUSE SEWER. The extension from the Building Drain Pipe to the Public Sewer or other place of disposal.

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

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

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

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

SANITARY SEWER. A pipe or conduit designed and/or intended to carry wastewater from residences, commercial buildings, industrial plants and institutions, and to which stormwater, surface water, ground water and unpolluted non-contact cooling water are not intentionally admitted.

SEWAGE TREATMENT PLANT or STP or WASTEWATER TREATMENT PLANT or TREATMENT PLANT or WWTP. The portion of the POTW which is designed to provide treatment of municipal sewage and Industrial Waste.

STORM SEWER. Any tile, pipe or tube installed on any type of structure that carries rainwater, snow melt and surface drainage but excludes sewage and industrial wastes other than unpolluted cooling water.

('78 Code, 13.08.010) (Ord. passed - -61; Am. Ord. 196, passed - -63; Am. Ord. 1359, passed 6-6-05)

§ 13.08.014 USE OF PUBLIC SEWERS.

(A) No person or User shall discharge, or cause to be discharged, directly or indirectly, any pollutant, wastewater contaminant, stormwater, surface water, groundwater, roof runoff, substance drainage, uncontaminated cooling water, or unpolluted industrial process waters which will pass through, cause interference with, inhibition of, or upset to the operation of the sewage treatment plant.

(B) Stormwater and all other unpolluted drainage shall be discharged to such sewers and Drainageways as are specifically designated as Combined Sewers or Storm Sewers, or to a Natural Outlet approved by the city. Industrial cooling water or unpolluted process waters may be discharged to a Storm Sewer, Combined Sewer, Drainageways or Natural Outlet only upon approval of the IEPA.

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

(1) Any gasoline, kerosene, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, carbides, hydrides, Stoddard solvents, sulfides, epoxides, esters, amines, polynuclear aromatic hydrocarbons, pyridines, new and used motor oils, or antifreeze, except at concentrations which do not exceed levels of such substances which are routinely present in the normal wastewater discharge and do not

otherwise violate any section of this Ordinance or the conditions of a Wastewater Discharge Permit or special agreement.

(2) Any waters or wastes having a pH outside the City Local Limit or having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the sewage works.

(3) Any solid, solid waste 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, waste cooking oil, grease, grease interceptor wastes, garbage with particles greater than one-half (1/2-inch) in any direction, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, animal guts or tissues, bones, whole blood, paunch manure, hair, hides, and fleshings, entrails and paper dishes, cups, milk containers and the like, either whole or ground by garbage grinders, spent limestone or marble dust, metal, shavings, grass clippings, spent grains or hops, paper, residues from gas, tar or asphalt, residues from refining or processing of fuel or lubricating oils, or glass grinding or polishing waste, fatty acids or esters of fatty acids, or any material which can be disposed of as trash.

(4) Substances, materials, waters, or wastes if it appears likely in the opinion of the city that such wastes can harm either the sewers' sewage treatment process or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming its opinion as to the acceptability of these wastes, the city will consider such factors as the quantities of subject waste in relation to the flows and velocities in the sewers, materials of construction of sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, and maximum limits established by regulatory agencies.

(5) Any liquid or vapor having a temperature higher which could inhibit biological activity in the sewage treatment plant, but in no case wastewater which causes the temperature at the sewage treatment plant to exceed 40°C. and 104°F

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

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

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

(9) Any waters or wastes containing iron, chromium, copper, zinc, or similar objectionable toxic substances, or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceed the limits established by the city for such materials;

(10) Any waters or wastes containing phenols or other waste or odor producing substances, in such concentrations exceeding limits which may be established by

the city as necessary after treatment of the composite sewage to meet the requirements of the state, federal or other public agencies with jurisdiction over such discharge to the receiving waters;

(11) Any radioactive wastes or isotopes of such half-life or concentrations as may exceed limits established by the city in compliance with applicable state or federal statutes, laws, regulations, and rules;

(12) Any mercury or any of its compounds as identified in Chapter 13.30 at any time except as permitted by the city in compliance with applicable state and federal regulations;

(13) Any cyanide as identified in Chapter 13.30 at any time except as permitted by the city in compliance with state and federal regulations;

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

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

(16) Pollutants which are or may be sufficient, either alone or by interactions, to cause a safety hazard, fire, explosion, or be injurious in any other way to the facilities or personnel of the City, or to the operation of the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21;

(17) Pollutants, including biological and chemical oxygen demanding Pollutants, released in a Discharge at a flow rate and/or Pollutant concentration (including any slug load), either singly or by interaction with other Pollutants which may interfere with, inhibit, or upset the POTW;

(18) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference, Pass-Through, or Upset the POTW;

(19) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems for City personnel, or which necessitates the City taking special measures to counteract and/or alleviate the impact of the Pollutant(s);

(20) Any trucked or hauled pollutants, except at discharge points designated by the POTW;

(21) Material jettied from building sewers, unless approved by the City. Approval would require sampling of the waste stream generated by sewer jetting for pollutants determined by the City.

(22) Wastewater containing noxious or malodorous solids, liquids, or gases, which either singly or by their interaction with other wastes are sufficient to create a public nuisance or hazard to life, or to interfere with, inhibit or upset any operation of POTW, including but not limited to, prevention of entry into Public Sewer for maintenance and repair;

(23) Substances with color which is not removed in the treatment processes, such as, but not limited to, dye waste, ink waste and vegetable tanning solutions;

(24) Unpolluted water including, but not limited to, uncontaminated non-contact Cooling Water, stormwater, surface and ground waters, subsurface drainage, roof runoff, spill contaminant area runoff, footing drains or construction drainage except as specifically permitted by the City;

(25) Biosolids, Sludge, screenings, or other residues from the Pretreatment of non-residential wastewater;

(26) Wastewater containing any organism, including viruses, considered pathogenic and/or detrimental to WWTP process organisms other than those discharged by direct excrement and any other medical wastes including, but not limited to, isolation wastes, infectious agents, human blood and blood products, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes;

(27) Any Wastewater causing the WWTP effluent to fail a toxicity test;

(28) Wastes containing detergents, surface active agents, aqueous firefighting foam, or other substances which may cause excessive foaming in any part of the POTW that results in Interference, Upset, or is shown to inhibit the nitrification process or Pass Through to the receiving waters. Such prohibited wastes shall not be processed or stored in such a manner that may result in a potential to discharge to the POTW;

(29) Leachate or remediation wastewater, except at discharge points designated by the Pretreatment Coordinator (40 CFR 403.5(b)(8));

(30) Polychlorinated Biphenyls (PCBs) in any detectable concentrations;

(31) Substances that inhibit the use of ultra-violet light for disinfection purposes;

(32) Pollutants in sufficient quantity, either singly or by interaction which;

(a) Injure, interfere with, or upset WWTP processes or POTW facilities;

(b) Constitute a hazard to humans or animals;

(c) Exceed limitations set forth in the Clean Water Act, Illinois Pollution Control Act or as specified in other Water Quality Standards;

- (d) May cause the WWTP to violate its NPDES permit, the receiving stream water quality standards, or general effluent discharge standards;
- (e) May cause the WWTP effluent or Biosolids to be unsuitable for reclamation and re-use, or Interfere with the reclamation processes;
or
- (f) Cause the City to be in noncompliance with any biosolids use or disposal regulations developed under Section 408 of the Act, or any regulations affecting biosolids use or disposal developed pursuant to the Resource Conservation and Recovery Act, Solids Waste Disposal Act, Toxic Substance Control Act, or any State or local standards applicable to any biosolids management methods either being used or considered by the City.

(33) Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such manner that could result in their discharge to the POTW. All Users with prohibited wastes described in this section or those that have hazardous wastes shall develop and implement a Spill/Slug Control (SSC) Plan consistent with the requirements of Section 13.30.404. The Pretreatment Coordinator may also determine that an SSC Plan is required for liquids and solids not previously described in plans based on an evaluation of a site potential to cause spills or Slug Loads to be introduced to the POTW.

(34) Discharge of unpolluted waters upon adjacent property or public streets or ways is prohibited: It shall be unlawful for any Person to discharge in such manner as to cause such waters to overflow onto adjacent property or to be discharged upon a public street or public way, any stormwater, surface water, ground water, roof runoff, or subsurface drainage, including the use of a sump pump for such purpose.

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

- (a) Reject the wastes;
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers;
- (c) Require control over the quantities and rates of discharge; and/or
- (d) Require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges, under the provisions of § 13.08.013.

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

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

(F) Each industry shall be required to install a control manhole and, when required by the city, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the city. The manhole shall be installed at the owner's expense and shall be maintained by the owner to be safe and accessible at all times.

(G) (1) The owners of any property serviced by a building sewer carrying industrial wastes shall provide laboratory measurements, tests, and analyses of waters and wastes to illustrate compliance with the ordinances codified in this section and any special conditions for discharge established by the city or regulatory agencies having jurisdiction over the discharge.

(2) The number, type and frequency of laboratory analyses to be performed by the owner shall be stipulated by the city, but no less than once per year. The industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with all federal, state and local standards are being met. The owner shall report the results of measurements and laboratory analyses to the city at such times and in such manner as prescribed by the city. The owner shall bear the expense of all measurements, analyses and reporting required by the city. At such times and as deemed necessary by the city, measurements and samples for analysis may be required to be sent to 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 IEPA Division of Laboratories Manual of Laboratory Methods, and shall be determined at the control manhole provided, or upon suitable samples taken at the control manhole. If no special manhole has been required, the control manhole shall be considered to be the nearest manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. The particular analyses involved will determine whether a 24-hour composite of all outfalls of the premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls, whereas pH's are determined from periodic grab samples. ('78 Code, 13.08.014)

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

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

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

§ 13.08.016 POWERS AND AUTHORITIES OF INSPECTORS.

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

(B) The city and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter private properties for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works at reasonable times and upon reasonable notice except in the case of emergency.

('78 Code, 13.08.016) (Ord. 694, passed - -88; Am. Ord. 1359, passed 6-6-05)

§ 13.08.017 DEFINITIONS AND CONSTRUCTION OF LANGUAGE.

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

FEDERAL GOVERNMENT.

- (1) **ADMINISTRATOR.** The Administrator of the U.S. Environmental Protection Agency.
- (2) **FEDERAL ACT.** The Federal Clean Water Act (33 U.S.C. 466 et seq.) as amended, (Pub. L. 95-217).
- (3) **FEDERAL GRANT.** The U. S. government participation in the financing of the construction of treatment works as provided for by Title II, Grants for Construction of Treatment Works, of the Act and implementing regulations.

LOCAL GOVERNMENT.

- (1) **APPROVING AUTHORITY.** The City of Crest Hill.
- (2) **CITY.** The City of Crest Hill.
- (3) **CODE.** The City of Crest Hill Code of Ordinances.
- (4) **ORDINANCE.** This Title.

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

PERSON. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or its legal representatives, agents, or assigns. This definition includes all federal, state, and local governmental entities.

SEWER TYPES AND APPURTENANCES.

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

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

(7) **BUILDING DRAIN.** The part of the lower piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer or other approved point of discharge, beginning five feet (1.5 meters) outside the inner face of the building wall.

(8) **STORMWATER RUNOFF.** That portion of the precipitation that is drained into the sewers and drainageways.

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

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

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

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

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

SHALL is mandatory; **MAY** is permissive.

STATE GOVERNMENT.

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

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

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

TREATMENT.

(1) **WASTEWATER TREATMENT WORKS.** An arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used a synonymous with **WASTE TREATMENT PLANT** and **WASTEWATER TREATMENT PLANT** or **POLLUTION CONTROL PLANT**.

TYPES OF CHARGES.

(1) **WASTEWATER SERVICE CHARGE.** The charge per quarter or month levied on all users of the wastewater facilities. The service charge shall be

computed as outlined in Chapter 13.24 of this title and shall consist of the total of the basic user charge, the local capital cost and a surcharge, if applicable.

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

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

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

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

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

(7) **SURCHARGE.** The assessment in addition to the Basic User Charge and Debt Service Charge which is levied on those Persons whose wastes are greater in strength than the concentration values established in Section 13.08.014 or Chapter 13.30 of this title.

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

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

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

USER TYPES.

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

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

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

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

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

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

WASTEWATER AND ITS CHARACTERISTICS.

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

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

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

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

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

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

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

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

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

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

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

(12) **PROPERLY 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 (1.27 centimeters) in any dimension.

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

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

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

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

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

(a) Has a flow of 80,000 gallons or more per average work day;

(b) Has a flow greater than 10% of the flow carried by the municipal system receiving the waste;

(c) Has in its waste a toxic pollutant in toxic amounts as defined in standards issued under Section 307(a) of the Federal Act; or

(d) Is found by the permit issuant authority, in connection with the issuance of the NPDES permit to the publicly owned treatment works receiving the waste, to have significant impact, either singly or in combination with other contributing industries, on that treatment works or upon the quality of effluent from that treatment works.

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

WATERCOURSE AND CONNECTIONS.

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

(2) **NATURAL OUTLET.** An outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.
(’78 Code, 13.08.017) (Ord. 759, passed 0 -90; Am. Ord. 1359, passed 6-6-05)

§ 13.08.018 VIOLATION; PENALTY.

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

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

(C) Any Person who continues any violation beyond the time limit provided in division (A) of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in the amount not exceeding \$1,000 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

(D) Any Person violating any of the provisions of this Title shall become liable to the city by reasons of such violations.
(’78 Code, 13.08.018) (Ord. passed - -90; Am. Ord. 1359, passed 6-6-05)

Any User who violates any provisions of this Ordinance except § 13.08.015 shall be subject to escalating enforcement actions and penalties in addition to the costs described in Subsections below.

(E) *Recovery of Costs Incurred.*

(1) Any Person or User violating any of the provisions of this Title, or who causes damage to or impairs the sewage treatment plant, shall be liable to the City for all expenses, costs, losses, and damages caused directly or indirectly by such violation. The city may invoice costs and expenses including, but not limited to, sampling and analyses associated with the investigation, mitigating impact to the sewage treatment plant, preparing the administrative enforcement actions such as notices or orders, investigative and/or correction actions, and review of response (s) from the User. The City shall invoice the User for the costs and expenses incurred by the City for any and all cleaning, repair, replacement, or other

investigative and/or corrective action(s) as a response to the violation. Any User that does not pay to the City all such assessed costs and expenses shall constitute a violation of this Ordinance enforceable under the provisions of Chapter 13.30, Sections 1101-1207 of this Ordinance.

(2) Liens. If any User refuses to remedy a violation of the provisions of this Ordinance and said violations are remedied by the City, a notice of lien for the cost and expenses incurred shall be recorded in accordance with state and local law.

(F) Administrative Fines.

(1) When the City finds that a User has violated, or continues to violate, any provisions of this Title, an individual or general Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the City may fine such User in an amount not to exceed One Thousand Dollars (\$1,000) and if convicted by a court, sentenced by the court to incarceration in a penal institution other than a penitentiary for not to exceed six (6) months (65 ILCS 5/1-2-1). Such fines shall be assessed on a per-violation, per-day basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation.

(2) Unpaid charges, fines, and penalties shall, after fifteen (15) calendar days of the date due, be assessed an additional penalty of ten percent (10%) of the unpaid balance. If the unpaid balance is not paid within forty-five (45) days after the submission of the invoice, enforcement actions shall be escalated as appropriate. A lien against the User's property shall be recorded for unpaid charges, fines, and penalties.

(3) Users desiring reconsideration of such fines must file a written request for the City to reconsider the fine along with full payment of the fine amount within thirty (30) calendar days of being notified of the fine. Where a request is made, the City Council shall hear the appeal at a properly convened meeting. In the event the User's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the User. The City Council shall be the final decision maker and if an appeal is denied, the User may seek any available judicial remedy, including appeal to the Circuit Court under the Illinois Administrative Review Law.

(4) Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the User.

(G) Injunctive Relief. When the City finds that a User has violated, or continues to violate, any provision of this Ordinance, a Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the City Attorney may petition the Circuit Court of Will County for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the Wastewater Discharge Permit, order, or other requirement imposed by this Ordinance on activities of the User. The City may also take such other action as is appropriate for legal and/or equitable relief, including a requirement that the User conduct environmental

remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

(H) Civil Penalties

(1) A User who has violated, or continues to violate, any provision of this Ordinance, an individual or general Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall be liable to the City for a maximum civil penalty of One Thousand Dollars (\$1,000) per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.

(2) The City may recover costs, including but not limited to, filing fees, witness fees, attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.

(3) In determining the amount of fines and/or civil liability, the Court shall consider all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.

(4) Issuing a notice of local ordinance violation or the filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a User.

(I) Additional Remedies

(1) In addition to remedies available to the City set forth elsewhere in this Ordinance, if the City is fined by the State EPA or USEPA for violation of its NPDES permit or violation of water quality standards as a result of discharge of pollutants by a User or group of Users, then the fine, including all legal, sampling, analytical testing costs, and any other related costs incurred by the City shall be charges to the responsible User or group of Users. Such charges shall be in addition to, and not in lieu of, any other remedies the City may have under this Ordinance, statutes, regulations, at law or in equity.

(2) If the discharge from any user causes a deposit, obstruction, or damage to any portion of the sewage treatment plant, the City shall cause the deposit or obstruction to be promptly removed or cause the damage to be promptly repaired. The cost for such work, including materials, labor, and supervision, shall be borne by the Person or User causing such deposit, obstruction, or damage.

(J) Remedies Nonexclusive. The remedies provided for in this Ordinance are not exclusive. The City may take any, all, or any combination of these actions against a noncompliant User or violator of this Title. Enforcement of Pretreatment violations will generally be in accordance with the City's enforcement response plan. However, the City may take other action against any User when the

circumstances warrant. Further, the City is empowered to take more than one enforcement action against any noncompliant User.

§ 13.08.080 RIGHT OF INSPECTION.

The City, duly authorized agents of the City, the Illinois Environmental Protection Agency (IEPA), and the United States Environmental Protection Agency, hereafter referred to as “the above-named entities”, shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this Ordinance and any individual or general Wastewater Discharge Permit or order issued hereunder. Users shall allow the above-named entities ready access to all parts of the premises for the purposes of inspection, observation, measurement, sampling, analyses, records examination and copying, and the performance of any additional duties at reasonable times and upon reasonable notice except at a time of emergency.

(A) Where a User has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements so that, upon presentation of suitable identification, the above-named entities will be permitted to enter without delay for the purposes of performing specific responsibilities.

(B) The City shall be permitted to take photographs or videos as needed to compile sufficient information from inspections. Such photographs and video files shall be kept confidential upon request of the User.

(C) The above-named entities shall have the right to set up on the User’s property or require installation of such devices as are necessary to conduct sampling and/or metering of the User’s operations, inspect the premises for leaks or stoppages, or to place dye in the sanitary pipe as to ascertain whether said sanitary pipe is draining into the proper sewage treatment plant.

(D) The City may install monitoring equipment as necessary. The City retains the ability to maintain the sampling and monitoring equipment installed by the City at all times, and the User shall provide a safe and proper operating condition at its own cost and expense. All devices used to measure wastewater flow and quality shall be calibrated at the manufacturer’s recommended frequency to ensure their accuracy.

(E) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the City. The costs of providing such access shall be borne by the User.

(F) If necessary, the User shall provide a knowledgeable guide to assist with the inspectors’ purpose on site by providing all necessary information.

(G) Unreasonable delays in allowing the above-named entities access to the User’s premises shall be a violation of this Ordinance.

(H) In the event that a suitable facility does not exist, pursuant to Chapter 13.30, Section 13.30.202, the “sampling facility” shall be considered to be the more feasible

location of the following locations based on the sampling conditions and assurance of compliance; the nearest downstream manhole in the Public Sewer to the point at which the Building Sewer is connected or the most effective point of access to Wastewater Discharge prior to connection to the Public Sewer, even if the Wastewater Discharge at that point does not contain all wastewater from the User.

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

§ 13.28.010 DUTY OF OFFICERS.

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

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

Additionally, Chapter 13.18 WATER CONNECTIONS (including Sections 13.18.010 through 13.18.030), and Chapter 13.30 SEWER USE AND WASTEWATER PRETREATMENT (including Sections 13.30.101 through 13.30.1604), as contained in the attached Exhibits A and B hereto, are also approved, adopted and ratified for inclusion in Title 13 WATER AND SEWER of the City of Crest Hill Code.

All other Chapters and Sections of Title 13 not identified or referred to in this Ordinance shall remain in full force and effect and are not altered in any way by the passage of this Ordinance amended certain sections and adding new Chapters 13.18 and 13.30.

SECTION 3: SEVERABILITY. If any section, paragraph, clause or provision of this Ordinance is held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any other provision of this Ordinance.

SECTION 4: REPEALER. All ordinances, resolutions or orders, or parts thereof, which conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.


SECTION 5: EFFECTIVE DATE. This Ordinance shall be in full force and effect immediately upon its passage and publication according to law.

PASSED THIS 15th DAY OF November, 2021.


	Aye	Nay	Absent	Abstain
Alderman John Vershay	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alderman Scott Dyke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alderwoman Claudia Gazal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alderman Darrell Jefferson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alderperson Tina Oberlin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alderman Mark Cipiti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alderman Nate Albert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alderman Joe Kubal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Raymond R. Soliman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>


Christine Vershay-Hall, City Clerk

APPROVED THIS 15th DAY OF November, 2021.


Raymond R. Soliman, Mayor

ATTEST:


Christine Vershay-Hall, City Clerk

CHAPTER 13.18: WATER CONNECTIONS

Section

- 13.18.010 Private water well unlawful when city water available
- 13.18.020 Private water well use
- 13.18.030 Shut off valves required on each unit

§ 13.08.010 PRIVATE WATER WELL UNLAWFUL WHEN CITY WATER SYSTEM AVAILABLE.

It is unlawful for any person, partnership, corporation, or trustee to install a private well whenever a city water system is available. Any residential, commercial, or industrial property within the corporate limits of the City shall be required to tap on and use the City Owned water supply when a watermain is located within 300' of the frontage of the property or a water service is run to the property or into the building.

§ 13.08.020 PRIVATE WATER WELL USE.

No Person shall use, construct or install any private water wells or water source with or without City water source that does not conform to the minimum requirements prescribed from time to time by the Department of Health in and for the county and state. This ordinance takes effect whenever the property changes ownership or pulls any building permit.

§ 13.08.030 SHUT OFF VALVES REQUIRED ON EACH UNIT.

Any new multi-unit residential, commercial, or industrial construction shall have one buffalo box or city shut off valve per unit located outside of the building in the existing right of way or city easement. The buffalo box location shall be marked in the curb outside of the property with a "W" marking. Each unit shall be required to purchase at their own cost an automatic shut off meter (alley) whenever the property changes ownership or any building permit is applied for.

