

650-03.5

Title 5

Health and Sanitation

TITLE 5—HEALTH AND SANITATION
CHAPTER 1—PUBLIC NUISANCES

ARTICLE 1

NUISANCES

- SECTION 1. NUISANCES; GENERAL.** Within the territorial jurisdiction of the Village it is hereby declared a nuisance for any person to cause any of those acts or omissions that are declared to be nuisances by the laws of the State of Illinois, and such as are known as nuisances to the common law of the land not hereinafter specially enumerated.
- SECTION 2. FILTH IN STREETS.** It shall be unlawful for any person to throw or deposit or cause to be thrown or deposited, any unclean water, manure, slop or other offensive matter, or ashes, or rubbish in any street, alley, or public place in the Village.
- SECTION 3. DEAD ANIMALS.** It shall be unlawful for any person owning or in the possession of any animals, which may die within the Village, to leave the same unburied therein for more than twelve (12) hours after its death, unless sooner notified by the proper authorities to remove and bury the same. It shall also be unlawful for anyone to bring and leave the carcass of any such animals within the limits of the Village, provided thus shall not apply to any such animals fit and intended to be used for human consumption. Such carcasses shall be stored and processed out of public view.
- SECTION 4. UNHEALTHY PREMISES.** It shall be unlawful for any person to keep, use or suffer any cellar, vault, private drain, pool, privy, sewer, grounds, or any premises belonging to or occupied by any person, to become nauseous, foul, offensive, injurious, or detrimental to the health of any individual.
- SECTION 5. OBSTRUCTIONS IN STREETS.** It shall be unlawful for any person to erect, construct or cause to be erected or constructed in any street or public alley in the Village, any step, cellar door or cellar way less than three feet (3') from the side lot line of the street into the sidewalk or street, or less than three feet (3') from the line of any alley, into the same; or to erect any porch, bulk, jut-window or other incumbrance, or so place or cause to be placed any spout or gutter whereby the passage of any street or alley as aforesaid shall be obstructed.
- SECTION 6. OBSTRUCTING STREETS.** It shall be unlawful for any person to place or erect, or cause to be placed or erected, in any street, road, sidewalk, alley, or other place under control of the Village, any building or other obstruction or to fail to remove the same after notice from the Police Chief so to do.
- SECTION 7. NUISANCES ON PRIVATE PROPERTY.**

7.1 Definition. For the purposes of this Section, the term "nuisance" is defined to mean any condition or use or premises or of building exteriors which is detrimental to the property of others or which causes or tends to cause substantial diminution in the value of other

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property in the neighborhood in which such premises are located. This includes, but is not limited to, the keeping or the deposition on, or the scattering over the premises of any of the following:

7.1.1 Lumber, junk, trash, or debris;

7.1.2 Abandoned, discarded or unused objects or equipment such as vehicles, furniture, stoves, refrigerators, freezers, cans or containers, and vehicle parts.

7.2 Nuisance Prohibited. No person owning, leasing, occupying, or having charge of any premises shall maintain or keep any nuisance thereon, nor shall any such person keep or maintain such premises in a manner causing substantial diminution in value of the other property in the neighborhood in which such premises are located.

SECTION 8. NONOPERATING VEHICLES PROHIBITED. No person in charge of or in control of premises, whether as owner, lessee, tenant, occupant or otherwise shall allow any partially dismantled, wrecked, junked, discarded or otherwise nonoperating motor vehicle to remain on such property longer than seven (7) days; and no person shall leave any such vehicle on any property within the Village for a longer time than seven (7) days; except that this subsection shall not apply with regard to any vehicle in an enclosed building or so located upon the premises as not to be readily visible from any public place or from any surrounding private property. This Section shall further not apply with regard to any vehicle on the premises of a business enterprise operated in a lawful place, other than in a residential district, and operated in a lawful manner, when the keeping or maintenance of such vehicle is necessary to the operation of such business enterprise; or with regard to a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the Village or any other public agency or entity.

8.1 Definitions. As used in this chapter, the following terms shall have the meanings ascribed to them:

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| Abandoned Vehicles | All vehicles in a state of disrepair render the vehicle incapable of being driven in its condition, or any vehicle that has not been moved or used for seven (7) consecutive days or more and is apparently deserted. |
| Antique Vehicle | This definition shall mean any motor vehicle or other vehicle twenty (20) years of age or older. |
| Inoperable Motor Vehicle | This shall mean and refer to any motor vehicle which cannot presently be operated on a street or highway of the Village |

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either due to physical defects in the motor vehicle or due to legal prohibitions, including but not limited to, want of licenses, defective parts, absence of defective parts, absence of required parts, etc.

Lawfully Occupied

This refers to premises occupied under contract, license, or other consent.

Motor Vehicle

shall mean an auto, car, motorcycle, truck, truck trailer, boat trailer, camper, or any other vehicle for use on the streets or highways, as well as any constituent part.

8.2 Exceptions. The requirements and provisions of this chapter shall not apply to:

- a. Vehicles specifically exempt from local licensing pursuant to the laws of the United States or the State of Illinois.
- b. Legally licensed antique vehicles.

8.3 Acts Prohibited. No person shall engage in any of the following acts:

- a. The abandonment of any motor vehicle on any street, highway, alley, or other public way within the Village.
- b. The abandonment of any motor vehicle on any public property or on any private property within the Village.
- c. The parking of any inoperable motor vehicle on any street, highway, alley, or other public way within the Village where the same constitutes a hazard or dangerous condition for persons and property lawfully using the same.
- d. The parking of any inoperable motor vehicle on any street, highway, alley, or other public way within the Village for more than forty-eight (48) hours.
- e. The parking of any inoperable motor vehicle on any private property, except property owned or lawfully occupied, or on public property, without the consent of the owner or lawful occupant for more than eight (8) hours.

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- f. The parking of any inoperable motor vehicle on private residentially-zoned property and allowing the motor vehicles to remain there for more than fourteen (14) days, if the vehicle is open to the view of the public.

8.4 Removal of abandoned and inoperable vehicles. Whenever any act prohibited by this chapter is perpetrated, the Police Department of the Village shall have the right to authorize removal of the vehicle concerned by towing at the time the prohibited act becomes violative of this chapter, as follows:

- a. The police may remove a motor vehicle abandoned on any street, highway, alley, or other public way within the Village immediately upon a determination of abandonment by the Police.
- b. The police may remove a motor vehicle abandoned on any private or public property immediately upon a determination of abandonment by the police.
- c. The police may remove an inoperable motor vehicle from any street, highway, alley, or other public way within the Village immediately upon a determination by the police that the vehicle is inoperable, and that it constitutes a hazard or a danger to persons and property lawfully using the highway.
- e. The police may remove an inoperable motor vehicle from any other public or private property, except a motor vehicle on property of the owner of the vehicle, or one lawfully entitled to park there, where the vehicle has been parked for more than seven (7) days without the consent of the owner or person lawfully occupying the premises.
- f. The police may remove an inoperable motor vehicle from any private residentially-zoned property, including property owned or lawfully occupied by the owner of the vehicle where the same is open to public view.

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8.5 Impoundment. After impounding a motor vehicle pursuant to Section 1, the police shall deal with the motor vehicle as follows:

- a. Whenever any citizen of the Village is the victim of an act done in violation of this Chapter, he shall have the right to request the police to remove the vehicle by towing. Thereafter, the police shall deal with the vehicle as if they had initiated the removal.
- b. The person who abandons the vehicle or parks an inoperative vehicle in violation of this chapter shall have the responsibility for all towing, storage, advertising, disposal, and related costs.

8.6 Complaint Filed. Within forty-eight (48) hours of having a vehicle towed pursuant to this chapter, the officer initiating the towing may cause a complaint to be filed charging the registered owner with a violation of this chapter. The registered owner shall be responsible for the violation in all cases except when, and only when, a stolen auto report has been filed prior to the towing occurring with an authorized law enforcement agency.

8.7 Records. When a motor vehicle or other vehicle is authorized to be towed away pursuant to this Chapter, the Village Police Department shall keep and maintain a record of the violation and vehicle description and license.

8.8 Reclaim and liability for expenses. Any time before a motor vehicle or other vehicle is sold at public sale or disposed of as provided in this chapter, the owner or other person legally entitled to its possession may reclaim the vehicle by presenting to the Police Department proof of ownership or proof of the right to possession of the vehicle. No vehicle shall be released to the owner or other person under this section until all towing and storage charges have been paid.

8.9 Disposal of unclaimed vehicles.

- a. Whenever an abandoned, lost, stolen or unclaimed motor vehicle or other vehicle, seven (7) years of age or newer, remains unclaimed by the registered owner or other person legally entitled to its possession for a period of thirty (30) days after notice has been given as provided in this Chapter, the Police Department having possession of the vehicle shall cause it to be sold at public sale to the highest bidder. Notice of the time and place of the sale shall be posted in a conspicuous place for at least ten (10) days prior to the sale on the premises where the vehicle has been impounded. At least ten (10) days prior to the sale, the Police Department shall cause a notice of the time and place of the sale to be sent by certified mail to the registered owner or other person known by the Police Department or towing service to be legally entitled to the possession of the vehicle. Such notice shall contain a complete description

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of the vehicle to be sold and what steps must be taken by any legally entitled person to reclaim the vehicle.

- b. in those Instances where the certified notification specified has been returned by the postal authorities to the Police Department due to the addressee having moved or being unknown at the address obtained from the registration records of this state, the sending of a second certified notice will not be required.
 - c. When the Identity of the registered owner or other person legally entitled to the possession of an abandoned, lost, or unclaimed vehicle of seven (7) years of age or newer cannot be determined by any reasonable means, the vehicle may be sold as provided or disposed of in the manner authorized by this Chapter without notice to the registered owner or other person legally entitled to the possession of the vehicle.
 - d. When an impounded vehicle of more than seven (7) years of age is impounded as specified by this chapter, it will be kept in custody for a minimum of ten (10) days for the purpose of determining ownership, the contacting of the registered owner by the United States mail, public service or in person for a determination of disposition and an examination of the state police stolen motor vehicle files for theft and wanted information at the expiration of the ten-day period, without the benefit of disposition information being received from the registered owner the Chief of Police will authorize the disposal of the vehicle as junk only.
 - e. When a motor vehicle or other vehicle in the custody of the Police Department is reclaimed by the registered owner or other legally entitled person. or when the vehicle is sold at public sale or otherwise disposed of as provided in this chapter, a report of the transaction will be maintained by the Police Department for a period of one (1) year from the date of the sale or disposal.
 - f. When a vehicle located within the corporate limits of the Village is authorized to be towed away by the Chief of Police, or other officer acting in his behalf, and disposed of as set forth in this Chapter, the proceeds of the public sale or disposition after the deduction of towing, storage and processing charges shall be deposited in the Village treasury.
- 8.10 Liability for damages. Any police officer, towing service owner, operator, or employee shall not be held to answer or be liable for damages in any action brought by the registered owner, former registered owner, or his legal representative, or any other person legally entitled to the possession of a motor vehicle or other vehicle when the

vehicle was processed and sold or disposed of as provided by this chapter.

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SECTION 9. WEEDS AS NUISANCE. Any weeds such as jimson, burdock, ragweed, thistle, cocklebur or other weeds of a like kind, found growing in any lot or tract of land in the Village are hereby declared to be a nuisance, and it shall be unlawful to permit any such weeds to grow or remain in any such place.

9.1 Height. It shall be unlawful for anyone to permit any weeds, grass, or plants, other than trees, bushes, flowers or other ornamental plants to grow to a height exceeding twelve inches (8")* anywhere in the Village; any such plants or weeds exceeding such height are hereby declared to be a nuisance.

9.2 Notices: Notice to Property Owners: If the Village of Alpha by necessity has to give notice of violations of Weed and Grass Height Limitations it shall be sufficient that such notice may be given only once to a property owner during any calendar year. Such notice may be sent by regular mail addressed to the addressee of property owner as shown on the tax assessment records. Such mailing shall be sufficient notice to such property owner for any calendar year.

9.3 Abatement:

a. Abatement by Owner must occur within Ten (10) days of date of notice.

b. Abatement by Village: If the owner or occupant of any premises on which weeds or plants are permitted to grow in violation of the provisions of this Section fails, after notice, to abate the nuisance by the cutting of weeds or grass within the time stated in the notice, the Village may then do so or authorize a person to do so on behalf of the Village. (See Section 11 "Collection and Lien")

9A.1 Notices: Notice to Property Owners: If the Village of Alpha by necessity has to give notice of violations of Certain Trees or Bushes as Nuisance, it shall be sufficient that such notice may be given only once to a property owner during any calendar year. Such notice may be sent by regular mail addressed to the addressee of property owner as shown on the tax assessment records. Such mailing shall be sufficient notice to such property owner for any calendar year.

9A.2 Abatement:

a. Abatement by Owner must occur within Ten (10) days of date of notice.

b. Abatement by Village: If the owner or occupant of any premises on which Certain Trees or Bushes are permitted to grow in violation of the provisions of this Section fails, after notice, to abate the nuisance by the cutting of Certain Trees or Bushes within the time stated in the notice, the Village may then do so or authorize a person to do so on behalf of the Village. (See Section 11 "Collection and Lien")

9B*. Use and Maintenance of Village Parkway

a. The village hereby grants a revocable permission for each property owner and/or resident to beautify the portion of the land owned by, or dedicated to the village located between said owner's or resident's premises and the adjoining curb line. This land would include the unpaved/platted streets (Currently East B St, West C St, or East D St.) or unpaved alleys.

However, no encumbrance other than grass is to be established on these parkway areas, said establishment shall be done in accordance with all other applicable village codes and ordinances.

* Amended 7-2022

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- b. It shall be the duty of each owner of or person residing on property abutting on a parkway area to maintain the grass on the parkway by keeping its height at a level which complies with the Village Code. This duty shall extend only to grass and weed cutting and its imposition does not entail any further duties or responsibilities.
 - 1. If more than one owner's/resident's property abut said parkways, the owner/resident shall maintain their half of the adjoining parkway.
- c. Violation notification, rules for abatement for said violation will follow the guidelines stated above in Section 9 Weeds as a Nuisance. Paragraphs 9.1 to 9.3
- d. Lien & Collection for said violation will follow the guidelines stated in Section 11 of this Chapter Parts 11.1 to 11.5

SECTION 10. ENFORCEMENT Enforcement of this Article may be accompanied by the Village in any manner authorized by law, and in addition, any person who by reason of another's violation of any provision of this Section, suffers special damage to himself different from that suffered by other property owners throughout the Village generally, may bring an action to enjoin or otherwise abate an existing violation.

SECTION 11. COLLECTION AND LIEN. If nuisances under Section 9,9A or 9B of this Chapter are abated by the Village or by a person directed by it to do so on behalf of the Village, by the cutting of weeds or grass, the trimming of trees or bushes, or the removal of nuisance bushes or trees, the Village may collect from the owners of the property the reasonable cost of so doing, and a notice of lien of the cost and expense of such abatement incurred by the Village, shall be recorded with the county recorder of deeds.

- 11.1 A notice of the existence of the lien shall be personally served on, or sent by certified mail to, the person to whom was sent the tax bill as shown on the tax assessment records.
- 11.2 Redemption of Lien: Redemption of the lien shall include any attorney fees, recording costs and any other expenses incurred. This recourse is not exclusive as the Village may take any other action as permitted by law. (1997 Code)
- 11.3 Release of Lien: Upon payment of the cost and expense by the owner of or persons interested in such property after notice of lien has been filed, the Village shall supply a release of lien to said owner or persons.
- 11.4 Notice To Property Owners: If the Village of Alpha by necessity has to give notice of violations of weed and grass height limitations or certain trees or bushes as nuisance, it shall be sufficient that such notice may be given only once to a property owner during any calendar year. Such notice may be sent by regular mail addressed to the address of property owner as shown on the tax assessment records. Such mailing shall be sufficient notice to such property owner for any calendar year. (Ord. 5-5-1-9-9.3/9A.2/9Bc-d)

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11.5 Fees for Mowing: In addition to the citation for an ordinance violation (Title 1 Administration, Chapter 1, Article 4, Section 1: Penalty), fees for mowing and trimming or removal shall be set from time to time as the Village Board shall determine. (1997 Code)

a. Mowing expenses per mowing is:

1. One hundred dollars (\$100.00) up to ten thousand (10,000) square feet.
2. Two hundred dollars (\$200.00) up to one acre (43,560 square feet).
3. One hundred fifty dollars (\$150.00) per part or whole acre in excess of first acre mowed.
4. That each time a mowing takes place there shall be in addition to the mowing charge an administration charge of one hundred dollars (\$100.00) added each time a mowing occurs.

b. Certain Tree and Bushes trimming or removal expenses is time and materials but shall not be less than one hundred dollars (\$100) for each occurrence.

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SECTION 10. ENFORCEMENT. Enforcement of this Article may be accompanied by the Village in any manner authorized by law, and in addition, any person who by reason of another's violation of any provision of this Section, suffers special damage to himself different from that suffered by other property owners throughout the Village generally may bring an action to enjoin or otherwise abate an existing violation.

ARTICLE 2

TITLE 5—HEALTH AND SANITATION CHAPTER
1—PUBLIC NUISANCES

DANGEROUS BUILDINGS

- SECTION 1. DANGEROUS BUILDINGS.** Any building, structure, or part thereof within the corporate limits of the Village, by reason of faulty construction, lack of repair, age or any other cause which shall be in such condition as to endanger the life or limb of persons passing by or near the same or residing or being in the vicinity thereof or endangering any property contiguous thereto is hereby declared a nuisance and dangerous to public safety.
- SECTION 2. ABATE DANGEROUS BUILDINGS.** The owner or owners of said building, structure or part thereof shall abate said nuisance by the razing of said building, structure, or part thereof to the ground level, or by rebuilding or repairing said building structure or part thereof in accordance with building restrictions so as to eliminate all danger to public safety.
- SECTION 3. ORDER OF ABATEMENT.** Upon the Board of Trustees by resolution declaring a nuisance, said Board of Trustees shall issue an order of abatement of said nuisance which order of abatement shall be served upon the owner or owners of said building residing in the Village, or published in one issue of a newspaper of general circulation of the Village and a copy of said publication posted on said building if said owner or owners do not reside in the Village or are unknown.
- SECTION 4. FAILURE TO ABATE.** If said owner or owners shall fail to abate said nuisance within a reasonable time after the service or publication and posting of said order or abatement, but in no event to exceed the time specified in the order of abatement, then the Village shall abate said nuisance by razing said building, structure, or part thereof to ground level, and said razing may be done by employment of labor or by contract; the salvage sold and the proceeds applied on the cost of razing and the cost of proceeding to abate.
- SECTION 5. OWNER LIABLE.** In case said proceeds are insufficient to pay the costs of abatement, then the owner or owners shall be liable to the Village for the balance of said costs, to be recovered in a suit of law, and in case said proceeds are more than said costs, the balance shall be paid to said owner or owners or deposited in the Village Treasury for the use of said owner or owners.

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CHAPTER 2—GARBAGE AND REFUSE

ARTICLE 1
GENERAL PROVISIONS

SECTION 1. DEFINITIONS. As used in this Chapter the words "garbage," "refuse," and "ashes" have the following meanings:

Garbage Wastes resulting from the handling, preparation, cooking and consumption of food; wastes from the handling, storage, and sale of produce.

Refuse Combustible trash, including, but not limited to paper, cartons, boxes, barrels, wood, excelsior, wood furniture, bedding; noncombustible trash, including, but not limited to, metals, tin cans, metal furniture, dirt, small quantities of rock and pieces of concrete, glass, crockery, other mineral waste; street rubbish, including but not limited to, street sweepings, dirt, leaves, catch-basin dirt, contents of litter receptacles. Provided, refuse shall not include earth and wastes from building operations.

Ashes Residue from fires used for cooking and for heating buildings.

SECTION 2. DISPOSAL OF GARBAGE. It shall be unlawful to place or permit to remain anywhere in the Village any garbage, or other material subject to decay other than leaves or grass, excepting in a tightly covered container. It shall be unlawful to burn any garbage or refuse anywhere in the Village.

SECTION 3. ACCUMULATION OF TRASH. It shall be unlawful to cause or permit to accumulate any dust, ashes or trash of such a material that it can be blown away by the wind anywhere in the Village excepting in a covered container.

SECTION 4. GARBAGE FALLING FROM VEHICLES. It shall be unlawful to deposit or permit to fall from any vehicle any garbage, refuse or ashes on any public street or alley in the Village: provided, that this Section shall not be construed to prohibit placing garbage, refuse or ashes in a container complying with the provisions of this Chapter preparatory to having such material collected and disposed of in the manner provided herein.

SECTION 5. VIOLATION. The fact that garbage, refuse or ashes remains on any occupant's premises in the Village in violation of this chapter shall be prima facie evidence that the occupant of such premises is responsible for the violation of the provisions hereof occurring.

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HEALTH AND SANITATION
CHAPTER 2—GARBAGE AND REFUSE

ARTICLE 1

GENERAL PROVISIONS

- SECTION 1. RESPONSIBILITY IN TURNING ON WATER.** No water from the Village water supply shall be turned on for service into any premises by any person but the Superintendent of Public Works or by any person authorized by him to perform this service.
- SECTION 2. REQUEST FOR WATER SERVICE.** A request to have water turned on or for a change of billing shall be made to the Superintendent of Public Works. There shall be a fee for turning on the water or for change of billing according to the fee schedule shown in Appendix A.
- SECTION 3. COMPLY WITH ORDINANCE.** No water shall be turned on for service in premises in which the plumbing does not comply with the ordinances of the Village; provided that water may be turned on for construction work in unfinished buildings, subject to the provisions of this chapter.
- SECTION 4. PERMIT FEE.** No connections with a water main shall be made without a permit being issued and twenty-four (24) hours' notice having been given to the Superintendent of Public Works. All such connections shall be made and all such work done at the expense of the applicant who shall also furnish materials necessary for such work; all such connections shall be made under the supervision of the Superintendent and no connections shall be covered until the work has been inspected by him. Applications for such connections must be made to the Superintendent of Public Works, and a fee shall be paid for each connection according to the fee schedule shown in Appendix A.
- SECTION 5. NO ALTERATION OR ADDITIONS OF SERVICE.** No water shall be resold or distributed by the recipient thereof from the Village supply to any premises other than that for which application has been made and the meter installed, except in case of emergency.
- SECTION 6. UNLAWFUL TO OBSTRUCT.** It shall be unlawful for any person not authorized by the Village to tamper with, alter or injure any part of the Village waterworks or supply system, or any meter. No person shall in any manner obstruct the access to any stop cock, hydrant or valve, or any public faucet.

ARTICLE 2

SERVICE PIPES

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SECTION 1. RESPONSIBILITIES. When an application for the use of water has been approved, the Village of Alpha shall lay, or cause to be laid, a service pipe from the water main to a point between the curb line and property line of the applicant, terminating at a curb cock and box. The applicant shall, at his own expense, lay or cause to be laid, the necessary service pipe from the curb cock and box into the premises to be served. The entire cost of keeping such service pipes in repair shall be paid by the person at whose application such repair is made, provided that the expense of repairing service pipes between the mains and the curb cock and box shall be borne by the Village.

SECTION 2. DEPTH OF SERVICE PIPES. All service pipes shall be laid not less than four feet below the established surface grade at all points of all streets, alleys, or public grounds of said Village where a surface grade is now or shall be hereafter established, and at least five feet below the ground at all points.

SECTION 3. MAINTENANCE OF SERVICE PIPES. All repairs for service pipes and plumbing systems of buildings shall be made by and at the expenses of the owners of the premises served. The Village may in case of an emergency, repair any service pipes and if this is done the cost of such repair work shall be repaid to the Village by the owner of the premises served.

SECTION 4. EXCAVATIONS OR REPAIR. Excavations for installing service pipes or repairing the same shall be made in compliance with the ordinance provisions relating to making excavations in streets. Provided, that it shall be unlawful to place any service pipe in the same excavation with, or directly over, any drain pipe or sewer pipe.

SERVICE 5. SERVICE BOXES. Shut-off boxes or service boxes shall be placed on every service pipe, and shall be located between the curb line and sidewalk line where this is practical. Such boxes shall be so located that they are easily accessible and shall be protected from frost.

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ARTICLE 3

IN TOWN WATER CONSUMERS

SECTION 1. WATER METERS. All premises within the corporate limits using the Village water supply must be equipped with an adequate water meter furnished by the Village; provided, that such water service may be supplied by the Village at a flat rate of wage as listed in the Fee Schedule (Appendix A) until such meter may be installed.

Before any premises are occupied a water meter shall be installed therein as herein required.

SECTION 2. PLACEMENT OF METERS. Meters shall be installed in a location that will provide easy access for reading, repairing, and replacing

SECTION 3. READING OF METERS. The Superintendent of Public Works shall read or cause to be read every water meter used in the Village at such times as are necessary that the bills may be sent out at the proper time.

SECTION 4. REPAIR OF METERS. Any water meter sewing consumers within the Village shall be taken out and tested upon complaint of the consumer.

SECTION 5. WATER SERVICE RATES. All property upon which any building has been or may hereafter be erected and which is used in connection with the Village water system shall pay the rates as shown in the Fee Schedule (Appendix A). These rates are also applicable to each mobile home, apartment unit, or multi-family unit.

SECTION 6. WATER SERVICE BILLS. Bills for water shall be dated and sent out at such times as may be directed by the Village President and Board of Trustees.

SECTION 7. AUTHORITY TO SHUT OFF WATER SUPPLY. The water supply may be shut off from any premises for which the water bill remains unpaid for a period of thirty (30) days after the bill is rendered and mailed. When shut off, water shall not be turned on until the payment of the amount billed plus a 10% penalty and the usual fee for turning on water has been made.

SECTION 8. LEAKING OR BROKEN SERVICE LINES. The cost of excess water usage resulting from leaking or broken service lines shall be borne by the consumer as shown in the Fee Schedule (Appendix A).

SECTION 9. ABANDONED SERVICE. Whenever any connection to the waterworks system is abandoned, because the building to which the water connection is made has been abandoned, destroyed or removed, the Superintendent of Public Works may remove the meter and any pipe or connections in the public right of way or easement, and cap, plug or otherwise seal the pipe or main. Before taking any such steps, the Superintendent of Public Works shall notify the owner of the real estate if the owner's name and address is known, and shall notify the person shown on the real estate tax records as having paid taxes on the property the last time taxes were paid. Such notice shall be

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made by mail, at least thirty (30) days before any action is taken under this Section. If water is leaking, the Superintendent of Public Works shall take immediate action, and send the notices within three (3) working days of the time the action was taken.

SECTION 10. NO CONNECTIONS PERMITTED WITHOUT APPROVAL. No person, firm or corporation shall make any connection to the waterworks system of the Village without the permission of the Village.

SECTION 11. WRONGFUL USE. Nothing in this ordinance shall be interpreted as prohibiting institution of larceny charges against any person stealing water from the Village by bypassing a meter, tampering with a meter or by any other means.

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ARTICLE 4

OUT OF TOWN WATER CONSUMERS

- SECTION 1. GENERAL.** Water consumers located outside of Village limits shall furnish and install or cause to be furnished and installed all pipe, joints, fittings, valves, meter pit, meter pit cover, and any other equipment as shall be deemed necessary to provide a proper installation in accordance with the Village's specifications governing such installations, at no expense to the Village.
- SECTION 2. WATER METERS.** The out of town water consumer shall furnish and install or cause to be furnished and installed, a water meter of the proper size for this installation. Meters shall be installed in a location that will provide easy access for reading, repairing, and replacing.
- SECTION 3. TAPPING MAINS.** The out of town consumer shall pay for all tapping of the mains necessary for this installation.
- SECTION 4. EASEMENTS AND RIGHTS OF WAY.** The out of town consumer shall obtain all necessary grants, right of way, or easements as are needed for this installation.
- SECTION 5. WATER SERVICE RATES.** Water rates for out of town consumers shall be as set by the Board of Trustees and as shown in the Fee Schedule (Appendix A).
- SECTION 6. CANCELLATION OF SERVICE.** Service to out of town consumers shall be subject to cancellation at any time that the Village Board of Trustees deems the continuation thereof would adversely affect the water supply to the Village residents, or the necessary pressure for emergency use. Such termination may be made after a 24-hour notice has been given to out of town consumers, provided an immediate emergency does not exist.
- SECTION 7. VILLAGE ORDINANCES.** The out of town consumer shall comply with all applicable Village ordinances.
- SECTION 8. REPAIRS AND MAINTENANCE.** The Village is responsible only for the operation of the water supply system serving out of town consumers. Costs relating to repair and maintenance of all service lines, mains, meters, etc. outside of the Village limits and/or beyond a meter installed for any out of town consumer must be borne by the consumer.
- SECTION 9. LEAKING OR BROKEN SERVICE LINES OR MAINS.** The cost of excess water usage resulting from broken service lines or mains serving out of town consumers shall be borne by the consumer as shown in the Fee Schedule (Appendix A).

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SECTION 10. AUTHORITY TO SHUT OFF WATER SUPPLY. The water supply may be shut off from any out of town premises for which the water bill remains unpaid for a period of thirty (30) days after the bill is rendered and mailed. When shut off, water shall not be turned on until the payment of the amount billed plus a 10% penalty and the usual fee for turning on water has been made.

ARTICLE 5 CROSS-CONNECTION

SECTION 1. CROSS-CONNECTION CONTROL - GENERAL POLICY.

- a. Purpose. The purpose of these Rules and Regulations is:
1. To protect the public water supply system from contamination or pollution by isolating within the consumer's water system contaminants or pollutants which could backflow through the service connection into the public water supply system.
 2. To promote the elimination or control of existing cross-connections, actual or potential, between the public or consumer's potable water system, plumbing fixtures and sources or systems containing substances of unknown or questionable safety.
 3. To provide for the maintenance of a continuing program of cross-connection control which will prevent the contamination or pollution of the public and consumer's potable water systems.
- b. Application. These Rules and Regulations shall apply to all premises served by the public potable water supply system of the Village of Alpha, Illinois.
- c. The owner or official custodian shall be responsible for protection of the public water supply system from contamination due to backflow or back-siphoning of contaminants through the customer's water service connection. If in the judgement of the Superintendent of Public Works or his authorized representative, an approved backflow prevention device is necessary for the safety of the public water supply system, the Superintendent of Public Works shall give notice to the consumer to install such approved backflow prevention device at each service connection to the premises. The consumer shall immediately install such approved device or devices at his own expense; failure, refusal, or inability on the part of the consumer to install such device or devices immediately shall constitute grounds for discontinuing water service to the premises until such device or devices have been installed. The consumer shall retain records of installation, maintenance, testing and repair for a period of at least five years.

SECTION 2. DEFINITIONS. The following definitions shall apply in the interpretation and enforcement of these regulations:

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- a. "Backflow" means the flow of water or other liquids, mixtures, or substances into the distribution pipes of a potable water system from any source other than the intended source of the potable water supply.
- b. "Backflow prevention device" means any device, method, or type of construction intended to prevent backflow into a potable water system. All devices used for backflow prevention in Illinois must meet the standards of the Illinois Plumbing Code and the Illinois Environmental Protection Agency.
- c. "Consumer" or "Customer" means the owner, official custodian or person in control of any premises supplied by or in any manner connected to a public water system.
- d. "Consumers water system" means any water system located on the customers premises. A building plumbing system is considered to be a customer's water system.
- e. "Contamination" means an impairment of the quality of the water by entrance of any substance to a degree which could create a health hazard.
- f. "Cross-connection" means any physical connection or arrangement between two otherwise separate piping systems, one of which contains potable water and the other a substance of unknown or questionable safety or quality, whereby there may be flow from one system into the other.

Direct cross-connection means a cross-connection formed when a water system is physically joined to a source of unknown or unsafe substance.

Indirect cross-connection means a cross-connection through with an unknown substance can be forced, drawn by vacuum, or otherwise introduced into a safe potable water system.

- g. "Inspection" means a plumbing inspection by an authorized representative who shall be a licensed plumber or an approved cross-connection control device inspector, to examine carefully and critically all materials, fixtures, piping, and appurtenances, appliances and installations of a plumbing system for compliance with requirements of the Illinois Plumbing Code.
- h. "Plumbing" means the actual installation, repair, maintenance, alteration, or extension of a plumbing system by any person. Plumbing includes all piping, fixtures, appurtenances and appliances for a supply of water for all purposes, including without limitation lawn sprinkler systems, from the source of a private water supply on the premises or from the main in the street, alley or at the curb to, within and about any building or buildings where a person or persons live, work, or assemble. Plumbing includes all piping, from discharge of pumping units to and including pressure tanks in water supply systems. Plumbing includes all piping, fixtures, appurtenances, and appliances for a building drain and a sanitary drainage and related ventilation system of any building or buildings where a person or persons live, work or assemble from the point of connection of such building

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drain to the building sewer or private sewage disposal system five feet beyond the foundation walls.

- i. "Potable water" means water which meets the requirements of 35 Ill. Adm. Code 604 for drinking, culinary, and domestic purposes.
- j. "Public water supply" means all mains, pipes and structures through which water is obtained and distributed to the public, including wells and well structures, intakes and curbs, pumping stations, treatment plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing water for drinking or general domestic use and which serve at least fifteen (15) service connections or which regularly serve at least twenty-five (25) persons at least sixty (60) days per year.
 - k. "Safe air gap" shall mean the minimum distance of a water inlet or opening above the maximum high-water level or overflow rim in a fixture, device, or container to which public water is furnished with shall be at least two times the inside diameter of the water inlet pipe, but shall not be less than one inch and need not more than 12 inches.
 - l. "Secondary water supply" shall mean a water supply system maintained in addition to a public water supply, including but not limited to water systems from ground or surface sources or water from a public water supply which in any way has been treated, processed or exposed to any possible contaminant or stored in other than an approved storage facility.
 - m. "Submerged inlet" shall mean a water pipe or extension thereto from a public water supply terminating in a tank, vessel, fixture, or appliance which may contain water of questionable quality waste or another contaminant and which is unprotected against backflow.
 - n. "Water utility" shall mean the Village Water Department.

SECTION 3. COMPLIANCE WITH EXISTING LAWS. A connection with a public water supply system shall comply with the existing State of Illinois laws and rules and the provisions of the Code of the Village.

SECTION 4. CROSS-CONNECTION PROHIBITED. Cross-connection of the public water supply system and any other water supply system or source including but not limited to the following are prohibited:

- 4.1 Between a public water supply system and a secondary water supply.
- 4.2 By submerged inlet.
- 4.3 Between a lawn sprinkling system and the public water system.
- 4.4 Between a public water supply and piping which may contain sanitary waste or a chemical contaminant.

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4.5 Between a public water supply system and piping immersed in a tank or vessel which may contain a contaminant.

SECTION 5. LOCAL CROSS-CONNECTION CONTROL PROGRAM. The Village shall develop a comprehensive control program for the elimination and prevention of all cross-connections and removal of all existing cross-connections and prevention of all future cross-connections.

SECTION 6. CORRECTIONS AND PROTECTIVE DEVICES. Any user of the water supply system shall obtain written approval from the Water Department of any proposed corrective action or protective device before using or installing it. The total time allowed for completion of the necessary connections shall be contingent upon the degree of hazard involved and include the time required to obtain and install equipment. If the cross-connection has not been removed within the time as hereafter specified, the Village shall physically separate the water supply system from the onsite piping system in such manner that the two systems cannot be connected by any unauthorized person.

SECTION 7. PIPING IDENTIFICATION. When a secondary water source is used in addition to the public water supply, the public water supply and secondary water piping shall be identified by distinguishing colors or tags and so maintained that each pipe may be traced readily in its entirety. It will be necessary to protect the water supply system at the service connection in a manner acceptable to the Water Department.

SECTION 8. PRIVATE WATER STORAGE TANKS. A private water storage tank supplied from the water supply system shall be deemed a secondary water supply unless it is designed and approved for portable water usage.

SECTION 9. ELIMINATION OF EXISTING CROSS-CONNECTIONS. Within one year from the effective date of this Section all existing cross-connection to the water supply systems shall be eliminated. The expenses of such elimination shall be that of the owner of the property on which such cross-connection exists.

SECTION 10. INSPECTION. An authorized representative designated by the Water Department shall have the authority to inspect any premises to determine the presence of an existing cross-connection and to order the elimination of such cross-connection.

SECTION 11. VIOLATIONS. The Water Department is hereby authorized to discontinue water service after a reasonable notice to any person owning any property where a cross-connection in violation of this Code exists. The Water Department may take such other precautionary measures as necessary to eliminate any danger of the contamination of the water supply system. Water service to such property shall not be restored until such cross-connection has been eliminated or corrected.

SECTION 12. That no person, firm, or corporation shall establish or permit to be established or maintain or permit to be maintained any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of the Village of Alpha, Illinois enter the supply or distribution system of said municipality, unless such private, auxiliary, or emergency water supply and the method of connection and use of such supply shall have been approved by the Superintendent of Public Works and the Illinois Environmental Protection Agency.

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- SECTION 13.** That it shall be the duty of the Superintendent of Public Works to cause surveys and investigations to be made of industrial and other properties served by the public water supply to determine whether actual or potential hazards to the public water supply may exist.
- SECTION 14.** That the Superintendent of Public Works of the Village of Alpha is hereby authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this ordinance is known to exist, and to take such other precautionary measures as he may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions have been eliminated or corrected in compliance with the provisions of this ordinance.
- SECTION 15. PENALTY.** If contamination of the potable water supply system occurs through an illegal crossconnection or an improperly installed, maintained, or repaired device, or a device which has been bypassed, the consumer must bear the cost of cleanup of the potable water supply system.

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**AMENDED ORDINANCE 5 1998-1999 OF THE VILLAGE OF ALPHA, HENRY COUNTY, ILLINOIS AMENDING TITLE 5,
CHAPTER 3, ARTICLE 6 "GROUNDWATER MINIMUM AND MAXIMUM SETBACK ZONES"**

Whereas, the Village of Alpha has already established the minimum and maximum setback zones for our groundwater resources, and

Whereas, the Village of Alpha desires to continue to supply a quality and quantity of safe and adequate water, and

Whereas, the Village of Alpha desires to continue to preserve the current groundwater resources,

Now, Therefore, Be and it is ordained by the President and the Village Board of Trustees in the Village of Alpha, Henry County, Illinois the above ordinance shall be amended as follows

ORDINANCE FOR THE VILLAGE OF ALPHA, ILLINOIS

MINIMUM AND MAXIMUM SETBACK ZONE ORDINANCE PROVISIONS

| | |
|------------|---|
| Section 1. | Purpose |
| Section 2. | Definitions |
| Section 3. | Prohibitions |
| Section 4. | Waivers, Exceptions, and Certifications of Minimal Hazard |
| Section 5. | Exclusion |
| Appendix A | Minimum and Maximum Setback Zone Map and Description |

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Section 1. Purpose. Pursuant to the authority conferred by 65 ILCS 5/11-125-4 (2014); 415 ILCS 5/14.2, and 5/14.3 (2014); and in the interest of securing the public health, safety and welfare; to preserve the quality and quantity of groundwater resources in order to assure a safe and adequate water supply for present and future generations, and to preserve groundwater resources currently in use and those aquifers having a potential for future use as a public water supply, the provisions of this ordinance shall apply to all properties located within the minimum setback zone established under Section 14.2 of the Environmental Protection Act ("Act") (415 ILCS 5/14.2 (2014)) and this ordinance, and the maximum setback zone established under Section 14.3 of the Act (415 ILCS 5/14.3 (2014)) and this ordinance.

Section 2. Definitions. Except as stated in this ordinance, and unless a different meaning of a word or term is clear from the context, the definition of words or terms in this ordinance shall be the same as those used in the Act and the Illinois Groundwater Protection Act (415 ILCS 55/1 (2014)):

"Act" means the Environmental Protection Act (415 ILCS 5/1 (2014)).

"Agency" means the Illinois Environmental Protection Agency.

"Board" means the Illinois Pollution Control Board.

"Maximum setback zone" means the area around a community water supply well established under Section 14.3 of the Act and this ordinance, and described in Appendix A.

"Minimum setback zone" means the area around a community water supply well established under Section 14.2 of the Act and this ordinance, and described in Appendix A.

Section 3. Prohibitions.

a. Except as provided in Sections 4 or 5, no person shall place a new potential primary source, new potential secondary source, or new potential route within the minimum setback zone.

b. Except as provided otherwise in Section 4, no person shall place a new potential primary source within the maximum setback zone.

Section 4. Exceptions and Certifications of Minimal Hazard.

a. If, pursuant to Section 14.2(c) of the Act, the Owner of a new potential primary source (other than landfilling or land treating), new potential secondary source, or new potential route is granted an exception by the Board, such owner shall be deemed to have an exception to the same extent from Section 3(a) of this ordinance.

b. If, pursuant to Section 14.2(c) of the Act, the owner of a new potential primary source (other than landfilling or land treating) is granted an exception by the Board, such owner shall be deemed to have an exception to the same extent from Section 3(b) of this ordinance.

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c. If, pursuant to Section 14.5 of the Act, the owner of a new potential primary source, new potential secondary source, or new potential route is issued a certificate of minimal hazard by the Agency, such owner shall not be subject to Section 3(a) of this ordinance to the same extent that such owner is not subject to Section 14.2(d) of the Act.

Section 5. Exclusion. Section 3(a) of this ordinance shall not apply to new common sources of sanitary pollution as specified pursuant to Section 17 of the Act and the regulations adopted thereunder by the Agency; however, no such common sources may be located within the applicable minimum distance from a community water supply well specified by such regulations.

All ordinances or parts of ordinance in conflict herewith are hereby repealed insofar as they so conflict.

This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED by the Village Board of Trustees, Alpha, Illinois on this 4th day of January 2016.

Source Water Protection Area Delineation

Village of Alpha

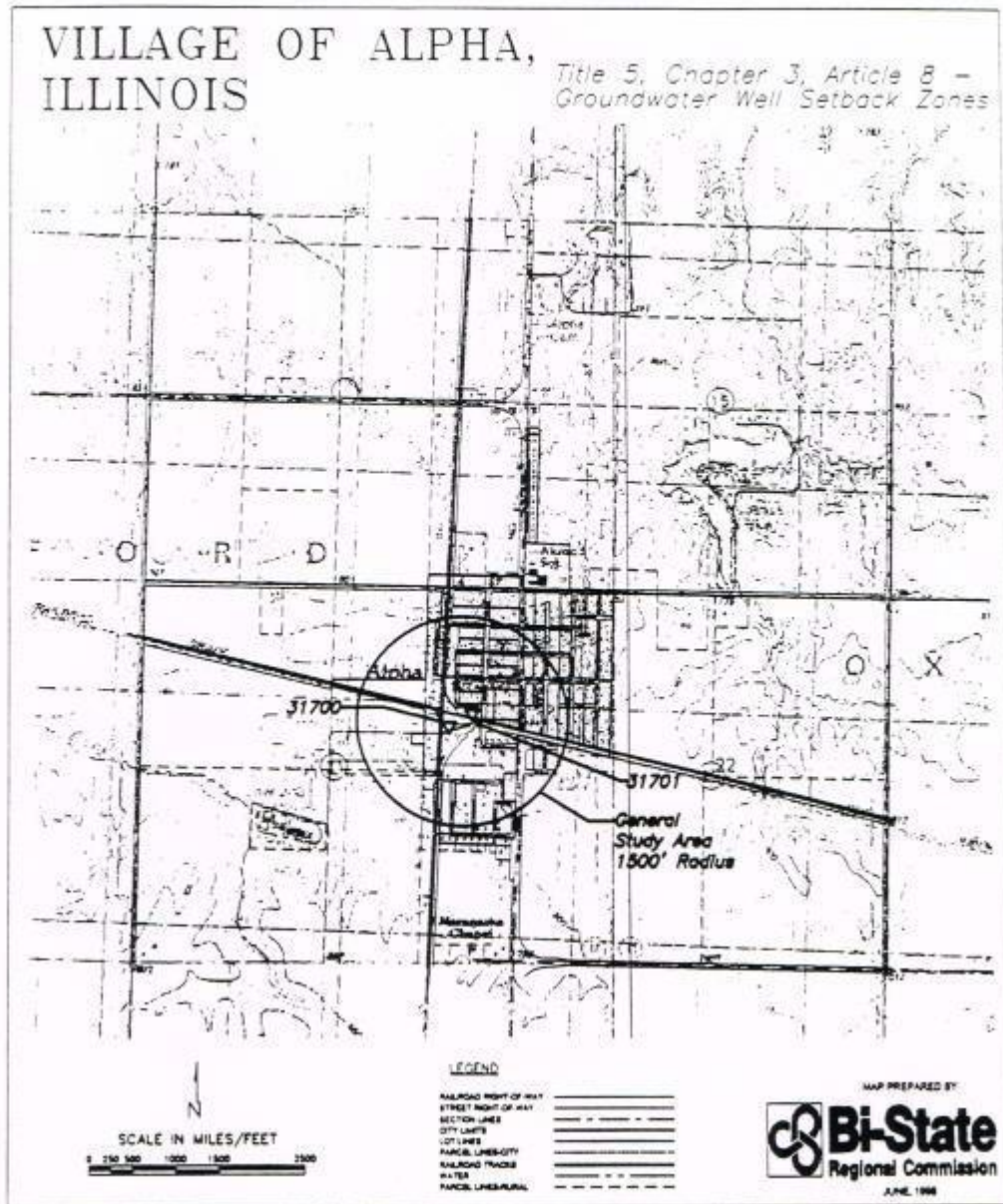
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ARTICLE 1

GENERAL

- SECTION 1. ADMINISTRATION.** The construction, maintenance and repair of all sewage disposal systems, sewers and sewer service lines including the connection to all sewers with the Village of Alpha shall be under the direction of and subject to the approval of the Village whether constructed or maintained by the Village or by private firms, individuals, or utilities.
- SECTION 2. SEPARATE SYSTEMS.** The sewer systems of the Village shall consist of a separate storm water system and a sanitary system.
- SECTION 3. VILLAGE.** Wherever the term Village is used within this Ordinance it is understood to be the Village of Alpha and its duly authorized officials.

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ARTICLE 2

USE OF PUBLIC SEWERS REQUIRED

- SECTION 1.** It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Village of Alpha or in any area under the jurisdiction of said Village, any human or animal excrement, garbage, or other objectionable waste.
- SECTION 2.** It shall be unlawful to discharge to any natural outlet within the Village of Alpha or in any area under the jurisdiction of said Village, any sewage, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.
- SECTION 3.** It shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- SECTION 4.** 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-ofway in which there is now located or may in the future be located a public sanitary 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 ordinance within ninety (90) days after date of official notice to do so, provided that said public sewer is within 200 feet (61 meters) of the property line.
- SECTION 5.** It shall be unlawful for any person, firm or corporation to connect or cause to be connected any drain carrying, or to carry, any toilet, sink, basement, septic tank, cesspool, industrial waste, or any fixture or device discharging polluting substances to any storm water drain in the Village of Alpha.

ARTICLE 3

PRIVATE SEWAGE DISPOSAL

- SECTION 1.** No private sewage disposal system shall be allowed within the Village limits.

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ARTICLE 4

BUILDING SEWERS AND CONNECTIONS

- SECTION 1.** No unauthorized person shall uncover, make any connection with, or opening into; use; alter; or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Village.
- SECTION 2. APPLICATION.** All applications for permits required by Section 1 shall be submitted in duplicate on blanks furnished by the Village for that purpose and shall include complete details of the nature and location of the work to be done, the name of the person contracting to have the work done and the name of the person who is to do the actual work. Where any sewer or water service connections are to be made, a scale drawing showing the location of proposed and existing water and sewer lines, together with accurate elevations and slope of sewer lines shall accompany the application. A stamped, approved set of drawings and the permit shall be kept on the job site at all times.
- SECTION 3.** All disposal by any person into the sewer system is unlawful except those discharges in compliance with Federal Standards promulgated pursuant to the Federal Act and more stringent State and local standards.
- SECTION 4.** There shall be two (2) classes of building sewer permits: (a) for residential and commercial service; and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a 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. Fees for permits shall be in accordance with the schedule of fees approved from time to time by the Village Board of Trustees and on file in the office of the Village Clerk. The industry, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics, and type of activity.
- SECTION 5.** A building sewer permit will only be issued and a sewer connection shall only be allowed if it can be demonstrated that the downstream sewerage facilities, including sewers, pump stations and wastewater treatment facilities have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.
- SECTION 6. BOND REQUIRED.** Each applicant for a permit required by thus article for work on public property shall file a bond in the amount of ten thousand dollars (\$10,000), with surety to be approved by the Village Board of Trustees, conditioned to indemnify the Village for any loss or damage resulting from the work undertaken or the manner of doing the same.
- SECTION 7. INSURANCE - REQUIRED.** Each applicant for a permit required by this chapter for work on public property shall carry adequate public liability and property damage insurance to indemnify the Village in case of any accident or damage occurring in conjunction with or as a result of the work being done under the permit. The Village shall be named coinsured in any policy.

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- a. Limits of liability shall be at least one hundred thousand dollars (\$100,000) for injury to any one person and five hundred thousand dollars (\$500,000) for resulting from any one accident and fifty thousand dollars (\$50,000) for injury to any property.
- b. The insurance required herein may not be canceled until completion of the work for which a permit is issued and following final inspection and approval of the work by the Village. Cancellation or lapse of the insurance required shall terminate any permit for which the policy provides coverage.

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

SECTION 9. 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.

SECTION 10. 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 ordinance.

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

SECTION 12. 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 sewerage carried by such building drain shall be lifted by a means which is approved by the Village and discharged to the sewer service line.

SECTION 13. No person(s) shall make connection of roof downspouts, exterior foundation drains, garage floor 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.

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

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

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- SECTION 16.** All excavations for building and sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of work shall be restored in a manner satisfactory to the Village. A street excavation permit separate from the sewer construction permit shall be obtained and the required inspection fees shall be paid.
- SECTION 17.** Each applicant for a permit required by this chapter for work on public or private property shall bear the responsibility for accidental injury or death, property damage, any other litigation that may arise in connection with this work and shall in any case hold the Village harmless from all damages.

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ARTICLE 5

USE OF THE PUBLIC SEWERS

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

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

SECTION 3. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers.

- a. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- b. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
- c. Any waters or wastes having a pH lower than 5.5 or having any other corrosion 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, underground garbage, whole blood, paunch manure, hair and fleshing, entrails and paper dishes, cups, mild containers, etc., either whole or ground by garbage grinders.

SECTION 4. 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 Inspector that such wastes can harm either the sewers, sewage treatment process or equipment; have adverse effect on the receiving stream; or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Village Inspector 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 plant, and maximum limits established by regulatory agencies. The substances prohibited are:

- a. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150°), (65° C).

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- b. Any waters or wastes containing toxic or poisonous materials; or oils, whether not, in excess of one hundred (100) mg/1 or containing substances which or become viscous at temperatures between thirty-two (32) and one degrees Fahrenheit, (0 and 65° C). emulsified or may solidify hundred fifty (150)
- c. Any garbage that has not been properly shredded. The Installation and collection of garbage grinder equipped with a motor of three fourths (3/4) horsepower (0.76 HP metric) or greater shall be subject to the review and approval of the Village Inspector. any
- d. Any waters or wastes containing strong acid, iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- e. Any waters or wastes containing iron, chromium, copper, zinc, or similar corrigible or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Village for such materials.
- f. Any waters or wastes containing phenols or other taste or odor-producing substances, such concentrations exceeding limits which may be established by the Village as after treatment of the compose sewage, to meet the requirements of the Federal, or other public agencies of jurisdiction for such discharge to the receiving waters. in necessary State,
- g. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Village in compliance with applicable State or Federal regulations.
- h. Any waters or wastes having a pH in excess of 9.5.
- i. Any mercury or any of its compounds in excess of 0.0005 mg/1 as Hg at any time except as permitted by the Village in compliance with applicable State and Federal regulations.
- j. Any cyanide in excess of 0.025 mg/1 at any time except as permitted by the Village 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);

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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” as defined herein.

i. 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.

SECTION 5. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 of this Article, and/or which are in violation of the 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 judgement of the Village may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Village may:

- 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 Section II of this Article.

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

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

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

SECTION 8. No industrial user may discharge sewage into any public sewer until the Village of Alpha has adopted an industrial cost recovery system which:

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- a. meets the requirements of Section 204(b)(1)(B) of the Federal Water Pollution Control Act Amendments of 1972 and applicable federal regulations; and
- b. has been approved by the Agency in accordance with the conditions of any grant made to the Village of Alpha by the United States Environmental Protection Agency or by the State of Illinois for the construction of any part of the sewer system or sewage treatment works of the Village of Alpha.

SECTION 9. If an industry should decide to locate in Alpha, each industry shall be required to install a control manhole and, when required by the Village of Alpha, 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 Village of Alpha. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

SECTION 10. The owner of any property serviced by a building sewer carrying industrial wastes shall provide laboratory measurements, tests, and analyses of waters and wastes to illustrate compliance with this ordinance and any special conditions for discharge established by the Village of Alpha or regulatory agencies having jurisdiction over the discharge. The number, type, and frequency of laboratory analyses to be performed by the owner shall be as stipulated by the Village of Alpha, but no less than once per year the industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with the Federal, State, and local standards are being met. The owner shall report the results of measurements and laboratory analyses to the Village of Alpha at such times and in such manner as prescribed by the Village of Alpha. The owner shall bear the expense of all measurements, analyses, and reporting required by the Village of Alpha. At such times as deemed necessary, the Village of Alpha reserves the right to take measurements and samples for analysis by an outside laboratory service.

SECTION 11. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole in the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. The particular analyses involved will determine whether a twenty-four (24) hour composite of all

outfalls of a premise are appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are from 24-hour composites of all outfalls, whereas pH's are determined "from periodic grab samples.

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SECTION 12. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the Village of Alpha and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village of Alpha for treatment, subject to payment therefore, by the industrial concern, provided such payments are in accordance with Federal and State guidelines for User Charge System and Industrial Cost Recovery System.

SECTION 13. OIL SEPARATORS WHEN REQUIRED. Every garage or other storage, repair, or servicing area where solid material or flammable liquids could be introduced into the sewer system shall be equipped with a catch basin or basins equipped with oil or gasoline separators constructed in accordance with the requirement of the Village.

13.1 All oil or gasoline separators shall be cleaned at such regular intervals as required to prevent the material from entering the sewer system.

13.2 A list of all separators required by Section 9 shall be furnished to the Village Inspector who shall cause regular periodic inspections to be made of the units to determine and assure their proper cleaning and maintenance.

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ARTICLE 6

PROTECTION OF SEWAGE WORKS FROM DAMAGE

SECTION 1. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct, or as a violation of this ordinance.

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ARTICLE 7

SEWER CONSTRUCTION AND MATERIALS

SECTION 1. All sanitary sewers including sewer service lines installed in the Village or installed outside the Village and connected to the Village Sanitary Sewer System shall be installed and maintained in accordance with the requirements of this ordinance.

SECTION 2. All sanitary sewers, including sewer service lines, shall be constructed of extra strength vitrified-clay sewer pipe manufactured in accordance with and conforming to American Society for Testing Materials (ASTM) Standards for Clay Sewer Pipe (ASTM designation C200 and C700T, latest revisions), approved cast-iron or ductile iron pipe or composite pipe formed by extruding ABS resin into a truss shape forming inner and outer walls supported by webs and then filling the voids with lightweight concrete all meeting ASTM Specifications D2680-70 (latest revisions). Sewer Service lines only may also be extra strength solid wall ABS Pipe or Polyynyl Chloride Pipe (PVC) ASTM designation D3034 (latest revisions) bearing National Sanitation Foundation Seal.

SECTION 3. SEWER SERVICE LINE DEFINED. A sewer service line or building sewer, shall consist of the sewer line from the city sewer to the building or improvement being served.

SECTION 4. INDIVIDUAL SERVICE LINES REQUIRED. No property owner will be permitted to construct a sewer service line to serve more than one parcel of property, but shall construct individual sewer service lines connecting each parcel of property to the public sewer line abutting and serving said property.

SECTION 5. JOINTS AND COUPLINGS. All pipe Installed on private property and in any location adjacent to trees and subject to root exposure shall be equipped with root-resistant) joints as in (a) below.

- a. All joints in vitrified-clay pipe shall be approved, factory made, precast joints, conforming to and meeting the requirements of ASTM standards C-425-58-T (latest revisions), using material type I or III.
- b. All joints in cast-iron pipe shall be made with oakum and poured caulked lead, with standard bolted mechanical joints. or with an approved rubber compression ring.
- c. All joints in plastic pipe shall be chemically welded conforming to ASTM specification D-2680-72, (latest revisions).
- d. That when two sections of sewer pipe are to be joined where the bell or spigot has been removed, or where two pipes of the same inside diameter but made of different materials are to be joined, a pipe coupling with stainless steel clamps, properly sized transition bushing and shear ring must be used (equal to Clow adjustable repair coupling, ASTM specification C594 (latest revisions) for compression couplings).
- e. That where pipes of different sizes are to be joined such as 4" cast-iron to 6" clay; a reducer coupling must be used (equal to Clow Mission couplings ASTM C594, latest revisions), concrete

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or other types of sealing are not acceptable.

SECTION 6. CONSTRUCTION OF LINES

a. All sewer lines shall be laid in trenches the bottom of which are undisturbed soil. Approved granular backfill, properly compacted, shall be used immediately under and up to the center line of all sewer lines. Additional granular backfill shall then be placed to a depth of at least two (2) pipe diameters over the top of the pipe and additional backfill material sufficient to fill the trench shall be added. For sewers on private property the type of the last backfill material shall be at the option of the owner. Within a street or alley right-of-way and within areas of present or future pavement or sidewalks as designated on the approved permit, thoroughly compacted, approved, granular backfill shall be placed up to the surface. This backfill, unless otherwise approved by the Village Inspector, shall be placed in the presence of an inspector of the Village. Approved granular backfill shall be material meeting the requirements of Section 20-2.21C of Standard Specifications for Water Main & Sewer Mann Construction in Illinois.

b. All sanitary sewer service lines serving a one family unit shall have a minimum internal diameter of four (4) inches, shall slope a minimum of one fourth (1/4) inch per foot. All sanitary sewer service lines serving units greater than one family shall have a minimum internal diameter of six (6) inches, shall slope a minimum of one eighth (1/8) inch per foot with a slope of at least one fourth (1/4) Inch per foot being preferable.

c. No sanitary sewer line shall be constructed in the same trench with or within ten (10) feet of a water or storm sewer line.

d. If a sewer service line is constructed with changes in direction of the line approximately 90 degrees any such change will be constructed using "long sweep bends" of not greater than 45 degrees change in direction. If an abrupt 90-degree bend cannot be avoided, a manhole or cleanout shall be constructed at that point to make possible rodding the sewer in case of blockage.

SECTION 7. INSPECTION, APPROVAL OF SERVICE LINES. No part of a sewer service line shall be covered until inspected and approved by an authorized inspector of the Village.

SECTION 8. SERVICE LINES SHALL BE PROPERTY OF OWNER. Sewer service lines shall be and shall remain the property of the owner of the lot or parcel of real estate being served and any required repairs, maintenance, or cleaning shall be the responsibility of said property owner. Should, at some future time, the sewer service line be found to be defective, permitting the introduction of storm or ground water into the system the line shall be repaired at the property owner's expense so that such entry is stopped.

SECTION 9. METHOD OF CONNECTING SEWER LINES. Connection of sewer lines to the Village sewers shall be by means of a tee or wye connection in the line or by use of a Village approved metal or by one of the methods Indicated below. Indiscriminate breaking of the sewer main or lateral is prohibited.

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- a. Circular saw-cut by proper tools ("Sewer-Tap" machine or similar), and proper installation of hub wye saddle or hub tee saddle, in accordance with manufacturers recommendations.
- b. Remove an entire section of pipe and replace with a wye or tee branch section. Pipe section shall be removed by breaking only the top of one bell. After the wye or tee branch is inserted, the connection shall be completed by the use of a pipe coupling with stainless steel clamps as defined above.
- c. Using pipe cutter, neatly and accurately cut out desired length of pipe for insertion of proper fitting. After the proper fitting is inserted, the connection shall be completed by the use of a pipe coupling with stainless steel clamps as defined above.
- d. Actual tapping of the line shall only be done when an inspector of the Public Works Department is present. If, in making a tap, a section of sewer pipe is cracked, that section shall be replaced or, at the option of the Inspector, shall be entirely encased in not less than six (6) inches of Portland cement concrete.

SECTION 10. SEPARATE CONNECTIONS REQUIRED. Separate connections shall be made for storm sewer lines and sanitary sewer line.

SECTION 11. CUTTING, REMOVING PAVEMENT, ETC.; REPLACING; NOTICE. When an existing pavement or sidewalk is cut or removed in the course of making a sewer connection, the sections shall be restored to meet the original condition in accordance with the requirements of the Village. Such street cuts shall be made only at such names and in such manner as approved by the Village following at least twenty-four (24) hours' notice to the Village.

SECTION 12. CONNECTION TO SANITARY SEWER OF PROPERTY CONTIGUOUS TO THE VILLAGE. No property contiguous to the Village limits shall be permitted to connect to the Village sewer lines until said property shall have been annexed to the Village. After annexation, said property may be connected to the sanitary sewer lines of the Village upon the following conditions:

- a. **Connection at owner's expense.** The owner of any such property which does not front on a street in which a Village sewer line is located shall be required to install, at his own expense, the necessary lateral sewer lines in accordance with Village specifications and requirements, and in addition thereto shall comply with all of the requirements hereinafter set forth in subsections (b) and (c). In the event an owner constructs the necessary lateral sewer extensions at his expense an agreement may be made between said owner and the Village to run for a period of not to exceed 10 years and providing for the Village to collect a connection fee from the owner of any intervening property who connects to the sewer extension with the connection fee to be the normal fee of the Village plus a proportion of the cost of construction of the sewer extension and to also provide for the Village to pay the construction cost common of the fee to the property owner who originally paid for the construction.

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- b. **Fees.** For each property improved by a single-family residence, the fee for connecting to the Village sewer line shall be in accordance with the schedule of fees adopted from time to time by the Village Board of Trustees and on file in the office of the Village Clerk.
- c. **Building other than single-family residence.** For each property improved by any building other than single family residence, the fee shall be such amount as may be determined by the Village Board computed on the basis of estimated water consumption.
- d. If a property owner has made every effort possible to effort annexation to the satisfaction of the Village Board of Trustees, the owner of the premises may secure sewer service to the premises if he shall execute an agreement with the Village providing that he, his successors, and assigns shall execute a petition to annex immediately when legal barriers are removed, and the premises are or become contiguous to the city limits. The agreement shall provide that sewerage service may be terminated upon failure to annex to the Village when possible.
- e. No provision of this article shall be construed as preventing any special arrangement, agreement or contract between the Village and any municipality person or industrial concern for sewerage service, subject to the rate, cost or commons as established by the Village.

SECTION 13. CONNECTION TO SANITARY SEWER OF PROPERTY NOT CONTIGUOUS TO VILLAGE. If the property to be served is within two hundred (200) feet of a Village sanitary sewer line and not contiguous to the Village it may be connected to the sanitary sewer lines of the Village upon payment of a connection fee and upon compliance with the following conditions:

- a. Connection at owner's expense. The owner of any such property which does not front on a street in which a Village sewer line is located shall be required to install, at his own expense, the necessary lateral sewer lines in accordance with Village inspections and requirements, and in additions thereto shall comply with all of the requirements hereinafter set forth in subsections (b), (c), and (d).
- b. Fee. For each property improved by a single-family residence, the fee shall be in accordance with the schedule of fees adopted from time to time by the Village Board of Trustees and on file in the Office of the Village Clerk.
- c. Building other than single family residence. For each property improved by a building other than a single-family residence, the fee shall be such amount as may be determined by the Village Board of Trustees computed on the basis of estimated water consumption.
- d. Sewer rental fee. The owner of each such property shall pay to the Village, in accordance to said connection fee, a sewer rental fee assessed in accordance with the schedule of fees adopted from time to time by the Village Board of Trustees and on file in the office of the Village Clerk.

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ARTICLE 8

POWERS AND AUTHORITY OF INSPECTORS

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

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ARTICLE 1

WASTEWATER SERVICE CHARGES

SECTION 1. BASIS FOR WASTEWATER SERVICE CHARGES. The wastewater service charge for the use of and for service supplied by the wastewater facilities of the Village shall consist of a basic user charge for operation and maintenance plus replacement, a debt service charge and a surcharge, if applicable.

The debt service charge shall be computed by building the annual debt service of all outstanding bonds by the number of users. Through further divisions, the quarterly debt service charge can be computed.

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

- a. A five-day, 20 degrees centigrade (20° C) biochemical oxygen demand (BOD) of 200 mg/1.
- b. A suspended solid (SS) content of 2 mg/1.

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

- a. Estimate the projected annual revenue required to operate and maintain the wastewater facilities including a replacement and depreciation fund for the year, for all works categories.
- b. Proportion the estimated costs to wastewater facility categories by Volume, Suspended Solids and BOD, if possible.
- c. Estimate wastewater volume, pounds of SS and pounds of BOD to be treated.
- d. Proportion the estimated costs to non-industrial users by volume, and to industrial users by volume, suspended solid and BOD.
- e. Compute costs per 1000 gal. for normal sewage strength.
- f. Compute surcharge costs per pound of BOD and SS in excess of normal sewage strength.

A Surcharge will be levied to all users whose waters exceed the normal concentrations for BOD (200 mg/1) and SS (250 mg/1). The surcharge will be based on water usage as recorded by water meters and/or sewage meters for all wastes which exceed the 200 mg/1 and 250 mg/1 concentration for BOD and SS respectively. Article 1, Section 7 specifies the procedure to compute surcharge.

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The adequacy of the wastewater service charge shall be reviewed annually by the Village Board of Trustees in their annual audit report. The wastewater service charge shall be revised periodically to reflect a change in debt service or a change in operation and maintenance costs including replacement and depreciation costs.

SECTION 2. MEASUREMENT OF FLOW. The volume of flow used for computing basic user charges and surcharges shall be the metered water consumption read to the lowest even increments of 1000 gallons.

- a. the person discharging wastes into the public sewers procures any part, or part of his water from sources other than the Public Waterworks System, all or a part of which is discharged into the public sewers, the person shall install and maintain, at his expense, water meters of a type approved by the Village for the purpose of determining the volume of water obtained from these other sources.
- b. Devices for measuring the volume of waste discharged may be required by the Village if these volumes cannot otherwise be determined from the metered water consumption records.
- c. Measuring devices for determining the volume of waste shall be installed, owned, and maintained by the person. Following approval and installation, such meters may not be removed, unless service is canceled, without the consent of the Village.

SECTION 3. DEBT SERVICE CHARGE. A quarterly debt service charge to each user of the wastewater facility of the Village of Alpha is hereby established as shown in the Fee Schedule, Appendix A.

SECTION 4. BASIC USER RATE. There shall be and there is hereby established a minimum charge and a basic non-industrial user rate for the use of and for service supplied by the Wastewater Facilities of the Village as shown in the Fee Schedule (Appendix A).

A basic user rate for industrial users shall be determined by the Board of Trustees when and if the need arises.

SECTION 5. SURCHARGE RATES. The rates of surcharges of BOD and SS, for all users served by the Wastewater Facilities of the Village shall be:

Unit BOD charge of \$0.032 per pound.

Unit SS charge of \$0.042 per pound.

SECTION 6. COMPUTATION OF SURCHARGE. The concentration of wastes used for computing surcharges shall be established by waste sampling. Waste sampling shall be performed as often as may be deemed necessary by the Village and shall be binding as a basis of surcharges.

The wastewater surcharge shall be computed by the following formula:

$$CS = B (\$BOD) + S (\$SS)$$

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Where: CS= Surcharge for wastewater in excess of domestic strength

B = BOD in pounds in excess of 200 mg/1

S = SS in pounds in excess of 250 mg/1

\$BOD = Surcharge rate in pounds for BOD

= \$.032 per pound

\$SS = Surcharge rate in pounds for SS

= \$.042 per pound

The BOD in pounds in excess of 200 mg/1 of "B" shall be computed as follows:

$$B = Vu (BODu - 200) 0.00834$$

Where: Vu = Wastewater volume, in 1000 gallons from user for quarterly billing period.

BODu = Total BOD in mg/1 from user as determined by waste sampling

The SS in pounds in excess of 250 mg/1 of "S" shall be computed as follows:

$$S = Vu (Ssu - 250) 0.00834$$

Where: Vu = Wastewater volume in 1000 gallons from user for quarterly billing period

Ssu = Total SS in mg/1 from user as determined by waste sampling

SECTION 7. COMPUTATION OF WASTEWATER SERVICE CHARGE. The wastewater service charge shall be computed by the following formula:

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

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

CD = Debt Service Charge (Section 3)

CM = Minimum Charge for Operation, Maintenance, Replacement and Depreciation (Section 5)

Vu = Wastewater Volume for the billing period

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X = Allowable consumption in gallons for the minimum charge = 4000 gallons

CU = Basic User Rate for Operation, Maintenance, Replacement, and Depreciation

CS = Amount of Surcharge (Sections 6 and 7)

ARTICLE 2

MISCELLANEOUS PROVISIONS

SECTION 1. BILLS. Said rates or charges for service shall be payable on a quarter calendar basis.

The owner of the premises, the occupant thereof and the user of the service shall be jointly and severally liable to pay for the service to such premises and the service to the premises by the Village only upon the condition that the owner of the premises, occupant and user of the services are jointly and severally liable therefore to the Village.

Basic sewer service shall be sent out by the Superintendent of Public Works on the tenth day of the month succeeding the period for which the service is billed.

All sewer bills are due and payable 20 days after being sent out. A penalty of 10 percent shall be added to all bills not paid by the 20th day after they have been rendered.

SECTION 2. REVENUES. All revenues and moneys derived from the operation of the sewerage system shall be deposited in the water and sewer fund account of the Village not more than ten days after receipt of the same, or at such more frequent intervals as may from time to time be directed by the President and Board of Trustees.

SECTION 3. ACCOUNTS. The Village Treasurer shall establish a proper system of accounts and shall keep proper books, records, and accounts in which complete and correct entries shall be made of all transactions related to the sewerage system, and at regular annual intervals he shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the sewerage system.

SECTION 4. 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 or industrial cost recovery for the purpose of making audit, examination, excerpts and transcriptions thereof to insure compliance with the terms of the Special and General Conditions to any State Grant.

SECTION 5. PAYMENTS FROM SEWERAGE FUND. The funds and moneys deposited in the water and sewer fund of the Village shall be paid out by the Village Treasurer upon due authorization of the Village Board of Trustees for the following purposes only:

- a. Maintenance and repair of the existing sewerage system.

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- b. A reserve fund to be built up to and maintained at \$4,000 to guarantee and be used only for payment of Sewer System Bonded indebtedness including special assessment bonds if collections fail to be adequate to meet payments when due or to help make the final payment on bonded indebtedness including special assessment bonds. any
- c. A public benefit fund covering the Village's share of the cost of special assessment projects on sewerage systems, including only that portion which is assessed against the Village as a benefit. new public
- d. Exceptions and alterations to existing sewerage system, but only where such extensions and alterations are of a character which will tend to benefit the Village as a whole or a substantial portion thereof.

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ARTICLE 3

PENALTIES

- SECTION 1.** Any person found to be violating any provision of this ordinance except Article 2, Section 6 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 ordinance.
- SECTION 2.** Any person who shall continue any violation beyond the time limit provided for in this Article shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding five hundred dollars (\$500.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
- SECTION 3.** Any person violating any of the provisions of this ordinance shall become liable to the Village by reason of such violation.

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ARTICLE 4

DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

SECTION 1. Federal Government

"Federal Act" means 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 (Pub. L. 92-500) and (Pub. L. 93-243).

"Administrator" means the Administrator of the U.S. Environmental Protection Agency.

"Federal Grant" shall mean the U.S. Government participation in the financing of the construction of treatment works.

SECTION 2. State Government

"State Act" means the Illinois Anti-Pollution Bond Act of 1970.

"Director" means the Director of the Illinois Environmental Protection Agency.

"State Grant" shall mean the State of Illinois participation in the financing of the construction of treatment works as provided for by the Illinois Anti-Pollution Bond Act and for making such grants as filed with the Secretary of State of the State of Illinois.

SECTION 3. Local Government

"Ordinance" means this ordinance.

"Village" means the Village of Alpha, Henry County, Illinois.

"Approving Authority" means the Village Board of Trustees or Village Inspector of the Village.

SECTION 4. "Person" shall mean 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.

SECTION 5. "NPDES Permit" means 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 Amendments of 1972, to regulate the discharge of pollutants pursuant to Section 402 of the Federal Act.

SECTION 6. CLARIFICATION OF WORD USAGE. "Shall" is mandatory; "may" is permissible.

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SECTION 7. Wastewater and its characteristics

“Wastewater” shall mean the spent water of a community. From this standpoint of course, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and storm water that may be present.

“Sewage” used interchangeably with "wastewater."

“Effluent Criteria” are defined in any applicable "NPDES Permit.”

“Water Quality Standards” are defined in the Water Pollution Regulations of Illinois.

“Unpolluted Water” is 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.

“ppm” shall mean parts per million by weight.

“Milligrams per Liter” shall mean 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.

“Suspended Solids” shall mean 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 "Standard Methods.”

“BOD” (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° C expressed in milligrams per liter.

“pH” shall mean the logarithm (base 10) or the reciprocal of the hydrogen-ion concentration expressed by one of the procedures outlined in "Standard Methods.”

“Standard Methods” shall mean 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.

“Garbage” shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.

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“Properly Shredded Garbage” shall mean 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 (1/2) inch (1.7 centimeters) in any dimension.

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

“Population Equivalent” Is a term used to evaluate the impact of industrial or other waste on a treatment works or stream. One population equivalent is 100 gallons of sewage per day, containing .17 pounds of BOD and .22 pounds of suspended solids.

“Slug” shall mean any discharge of water, sewage or industrial wastes which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four-hour concentration or flows during normal operation.

“Industrial Waste” shall mean any solid, liquid or gaseous substance discharged, permitted to flow or escaping from any industrial, manufacturing, commercial or business establishment or process from the development, recovery or processing of any natural resource as distinct from sanitary sewage.

“Major Contributing Industry” shall mean 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 ten percent of the flow carried by the municipal system servicing 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 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.

SECTION 8. Sewer types and appurtenances

“Sewer” shall mean a pipe or conduit for conveying sewage or any other waste liquids, including storm, surface and groundwater drainage.

“Public Sewer” shall mean a sewer provided by or subject to the jurisdiction of the Village. It shall also include sewers within or outside the Village boundaries that serve one or more persons and ultimately discharge into the Village sanitary sewer system, even though those sewers may not have been constructed with Village funds.

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“Sanitary Sewer” shall mean a sewer that conveys sewage or industrial wastes or a combination of both, and into which storm, surface, and groundwaters or unpolluted industrial wastes are not intentionally admitted.

“Storm Sewer” shall mean a sewer that carries storm, surface and groundwater drainage but excludes sewage and industrial wastes other than unpolluted cooling water.

“Combined Sewer” shall mean a sewer which is designed and intended to receive wastewater, storm, surface and groundwater drainage.

“Building Sewer” shall mean the extension from the building drain to the public sewer or other place of disposal.

“Building Drain” shall mean 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 (5) feet (1.5 meters) outside the inner face of the building wall.

“Stormwater Runoff” shall mean that portion of the precipitation that is drained into the sewers.

“Sewerage” shall mean the system of sewers and appurtenances for the collection, transportation and pumping of sewage.

“Easement” shall mean an acquired legal right for the specific use of land owned by others.

SECTION 9. Treatment:

“Pretreatment” shall mean the treatment of wastewaters from sources before introduction into the wastewater treatment works.

“Wastewater Treatment Works” shall mean an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used as synonymous with “waste treatment plant” or “wastewater treatment plant” or “pollution control plant.”

SECTION 10. “Wastewater Facilities” shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and transport effluent to a watercourse.

SECTION 11. Watercourse and connections:

“Watercourse” shall mean a channel in which a flow of water occurs, either continuously or intermittently.

“Natural Outlet” shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

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SECTION 12. User types

"User Class" shall mean the type of user either "residential or commercial" (non-industrial) or "industrial" as defined herein.

"Residential or Commercial" or "non-industrial" user, shall mean any user of the treatment works not classified as an industrial user or excluded as an industrial user as provided for in this section.

"Industrial User" shall mean any nongovernmental user of publicly owned treatment works identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions:

- a. Division A - - - Agriculture, Forestry, and Fishing
- b. Division B - - - Mining
- c. Division C - - - Manufacturing
- d. Division D - - - Transportation, Communications, Electric, Gas, and Sanitary Services
- e. Division E - - - Services

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

"Control Manhole" shall mean 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 Village representative to sample and/or measure discharges.

SECTION 13. Types of charges

"Wastewater Service Charge" shall be the charge per quarter or month levied on all users of the Wastewater Facilities. The service charge shall be computed as outlined in Chapter 6, Article 1 and shall consist of the total or the Basic User Charge, the Debt Service Charge and a Surcharge, if applicable.

"User Charge" shall mean a charge levied on users of treatment works for the cost of operation and maintenance.

"Basic User Charge" shall mean the basic assessment levied on all users of the public sewer system.

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“Debt Service Charge” shall be the amount to be paid each billing period for payment of interest, principal and coverage of (loan, bond, etc.) outstanding and shall be computed by dividing the annual debt service by the number of users connected to the Wastewater facilities.

“Surcharge” shall mean the assessment in addition to the basic user charge a debt service charge which is levied on those persons whose wastes are greater in strength than the concentration values established in Chapter 7, Article 1.

“Replacement” shall mean 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. The term “operation and maintenance” includes replacement.

“Useful Life” shall mean the estimated period during which the collection system and/or treatment works will be operated and shall be 30 years from the date of start-up of any wastewater facilities constructed with a State Grant.

“Water and Sewer Fund” is the principal accounting designation for revenues received in the operation of the sewerage system.

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