

CHAPTER 38

UTILITIES

ARTICLE I – DEPARTMENT ESTABLISHED

38-1-1 **DEPARTMENT ESTABLISHED.** There shall be a department of the City, known as the Water and Sewer Department. It shall include the Superintendent, appointed by the Mayor with the advice and consent of the City Council and its employees. **(Ord. No. 86-11; 06-24-86)**

38-1-2 **SUPERVISION OF WATER AND SEWER DEPARTMENT.** The City Council shall make all needful rules and regulations for the operation of the Department. The City Council shall have charge of all water mains, stand pipes, meters and apparatus used for taking water from the utility system. The Council shall exercise general supervision of the City Water and Sewer System. **(Ord. No. 86-11; 06-24-86)**

38-1-3 **SUPERINTENDENT OF WATER AND SEWER.** The Superintendent shall be subject to the supervision of the Mayor. **(Ord. No. 86-11; 06-24-86)**

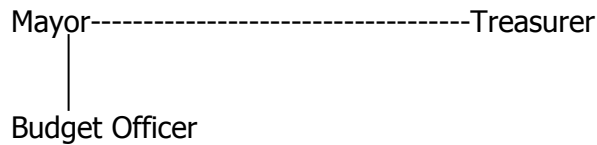
38-1-4 **DUTIES OF SUPERINTENDENT.** The Superintendent shall be subject to the supervision of the Mayor. **(Ord. No. 86-11; 06-24-86)**

38-1-5 **RESPONSIBILITY FOR BILLING AND COLLECTING.** It is hereby made the duty of the Budget Officer to render bills for water or sewer services. **(Ord. No. 90-15; 11-14-90)**

38-1-6 **EARMARKING AND ADMINISTRATION OF REVENUE.** All revenues derived from the operation of the system shall be held separate and apart from all other funds of the City. The same shall be deposited in a separate fund designated as the "Water and Sewer Fund". **(Ord. No. 90-15; 11-14-90)**

38-1-7 **ACCOUNTS, AUDITS, AND FISCAL YEAR.** The City shall establish a proper system of accounts and shall keep complete and proper books and records of accounts in which complete and correct entries shall be made of all transactions relating to the system. At appropriate intervals, the City shall cause an audit of such books to be made by an independent auditing concern in order to show the receipts and disbursements of the system. The fiscal year of the system shall be from **May 1st to April 30th.** **(Ord. No. 90-15; 11-14-90)**

38-1-8 POWERS AND DUTIES OF CERTAIN CITY OFFICIALS AND WATER AND SEWER ADMINISTRATION PERSONNEL. The following is an Organizational Chart for the Water and Sewer Department's financial administration.



DUTIES DEFINED:

(A) **Mayor** shall exercise administration control over the Water and Sewer Department personnel.

(B) **Treasurer.** The Treasurer shall be the custodian of all water and sewer funds.

(C) **Budget Officer.** The Budget Officer shall exercise control over the day-to-day operations of the water and sewer collections, billings, and disbursements. The Budget Officer shall monitor and be responsible for all accounting functions of the Water and Sewer Department.

(Ord. No. 90-15; 11-14-90)

38-1-9 DISPOSITION OF REVENUES. The revenue received from the operation of the system shall be set aside as collected and shall be deposited in a separate fund to be designated as the Water and Sewer Fund of the City, which fund shall be used only for the payment of the cost of the operation of the maintenance of the system, for providing an adequate depreciation fund and for the payment of the principal of and the interest upon the Revenue Bonds heretofore issued, that are payable by their terms only from such revenue.

38-1-10 CUSTODY OF FUNDS. The City Treasurer shall be custodian of the water and sewer funds as described in **Section 38-1-9.** **(Ord. No. 90-15; 11-14-90)**

ARTICLE II – REGULATIONS

38-2-1 CONTRACT FOR WATER AND SEWER SERVICES – CUSTOMER ACCEPTS SERVICE. The rates, rules and regulations contained in this Code shall constitute and be considered a part of the contract with every person, company or corporation who is supplied with water and sewer services from the Water and Sewer Systems, and every person, company or corporation, hereinafter called a “customer” who accepts and uses water and sewer services, and the owner of the premises where services are delivered, shall be held to have consented to be bound thereby. **(Ord. No. 09-07; 04-14-09)**

(A) **Not Liable for Interrupted Service.** The City will endeavor at all times to provide a regular and uninterrupted supply of service, but in case the supply of service shall be interrupted, or irregular, or defective, or fail from causes beyond its control, or through ordinary negligence of employees, servants or agents, the City shall not be liable therefor.

(B) **Using Utilities Without Paying.** Any person using water or sewer services from the City without paying therefor, or who shall be found guilty of breaking any water meter, or appurtenances, or by-pass the meter, shall, upon conviction be fined a sum as is provided in **Section 1-1-19** of this Code.

(C) **Destroying or Obstructing Property.** A person found guilty of defacing, obstructing, tampering, injuring or destroying or in any manner, limiting the use of availability of any fixture, meter or any property of the utilities, or erecting signs on the property of the utilities without permission, shall upon conviction of such act, be fined as provided in **Section 1-1-19** of the Revised Code.

(D) **Service Obtained by Fraud.** All contracts for water and sewer service must be made in the name of the head of the household, firm or corporation using the established spelling of that person’s or firm’s name. Attempts to obtain service by the use of other names, different spellings or by substituting other persons’ or firms’ names will be considered a subterfuge and service will be denied. If service had been discontinued because of nonpayment of bills or any unpaid obligation, and service again has been obtained through subterfuge, misrepresentation or fraud, that service will be promptly disconnected and the whole or such part of the advanced payment, as may be necessary to satisfy the unpaid obligation shall be retained by the City credited to the proper account.

(E) **Failure to Receive Bill.** Failure to receive a bill shall not excuse a customer from his obligation to pay within the time specified. Should the City be unable to bill a customer for services used during any month, the billing next made shall include the charges for services used during the unbilled month. A month shall be considered as that period of approximately **thirty (30) days**.

(F) **Discontinuing Utility Services.** Utility services shall be deemed to have been supplied to any property connected to the utility systems during any month, unless the consumer shall have given written notice to the City Clerk prior to the first day of the new billing month. Upon the receipt of such notice, utility service shall be discontinued and shall not again be resumed until a request for the utility service has been made. There is hereby established a **Twenty-Five Dollar (\$25.00)** transfer of services fee for any transfer of water/sewer service from one location to another location within the City. **(Ord. No. 04-10; 09-20-04)**

(G) **Removal of Meters.** All meters shall remain the property of the City and may be removed from the customer's premises at any time without notice for the purpose of testing and repairing the same or upon discontinuance of service. Upon discovery of any unlawful act by any customer, his agent, or employee herein prohibited or upon failure to comply with any other rules and regulations of the City, such service shall be disconnected.

(H) **Payment – Late Fee.** All bills for utility services, which include charges for water and sewer, plus all additional charges, surcharges, fees or other amounts due pursuant to this Code or City Ordinance, shall be due and payable upon billing by the City. If a bill is not paid within **ten (10) days** after billing when billed monthly, or within **twenty (20) days** after billing when billed bi-monthly, there shall be a late fee of **ten percent (10%)** of the total amount of the bill due added to and collected with the bill. **(Ord. No. 13-17; 12-10-13)**

(I) **Delinquent Notice – Final Notice.** If a utility bill is not paid within **twenty (20) days** after the date of the bill, the customer shall be given **ten (10) days** final notice, at which time the billing clerk shall draw up a list of those delinquent to be given to the Mayor for his/her approval or disapproval for discontinuing the service(s). For monthly bills, if a utility bill is not paid within **thirteen (13) days** after the date of the bill, the customer shall be given **ten (10) days** final notice and the same procedure shall be followed with regard to discontinuing service(s). **(Ord. No. 90-15; 11-14-90)**

(J) **Lien on Property.** In the event the charges for utility services, including any penalty then due are not paid within **forty (40) days** after the rendition of the bill for such service, such charges and penalties shall constitute liens upon the real estate for which such services are supplied, and the City Clerk is hereby authorized and directed to file sworn statements showing such delinquent charges in the office of the Recorder of Deeds of Jackson County, Illinois, and the filing of such statements shall be deemed notice for the payment of such charges and penalties for such services.

(K) (1) **Disconnection Procedure.** Disconnections for nonpayment shall be on Wednesdays beginning at **9:30 A.M.** and shall continue until all disconnections are completed then reconnections shall be made if all payments due and charges due are paid. **(Ord. No. 02-16; 12-10-02)**

(2) **Reconnect Charge.** If utility service is disconnected to any customer for nonpayment of bill, service shall not be reconnected to that customer until all charges and penalties have been paid, plus a service charge of **Fifty Dollars (\$50.00)** for reconnection of each utility service or **Seventy-Five Dollars (\$75.00)** for reconnection after normal work hours. **(Ord. No. 10-06; 02-09-10)**

(3) The return check fee for any check returned from any bank for any reason is hereby increased from **Fifteen Dollars (\$15.00)** to **Twenty-Five Dollars (\$25.00)**. **(Ord. No. 04-10; 09-20-04)**

(L) **Resale.** No water shall be resold or distributed by the consumer thereof from the City supply to any premises other than that for which application has been made and the meter installed, except in cases of emergency.

38-2-2 **LIABILITY FOR CHARGES.** The owner of any lot, parcel of land or premises receiving utility services, the occupant of such premises and the user of the services shall be jointly and severally liable for the payment of the services to such lot, parcel of land or premise and all services are rendered to the premises by the City only on the condition that such owner, occupant and user shall be jointly and severally liable therefore to the City.

38-2-3 **ESTIMATED CHARGE.** Whenever any meter, by reason of its being out of repair, or from any cause, fails to properly register the water passing through the same, the customer shall be charged at the rate shown for the corresponding time of the previous year. If no record of the previous year exists, then it shall be the duty of the Superintendent to estimate the amount of water or gas consumed during the time the meter fails to operate, and the consumer shall be charged with such estimated amount.

38-2-4 **CONSUMER LISTS.** It is hereby made the duty of the Water and Sewer Department to prepare or cause to be prepared a complete and accurate list of all premises and properties receiving utility services, showing the name and address of the occupant, and shall be corrected from time to time to allow changes in the occupancy or ownership of any such property or premises.

38-2-5 **METERS TESTED BY REQUEST.** A customer may request a meter to be tested for accuracy, which test will be made by a meter shop in accordance with the standard regulations for meter testing as prescribed by the Illinois Commerce Commission.

38-2-6 **INACCURATE METER.** The quantity of water recorded by the meter shall be accepted as correct by both the customer and the City, except when the meter has been found to be registering inaccurately or has ceased to register. In either case, the meter will be promptly repaired by the City, and the quantity used will be determined by the registration of the meter in the same period for the preceding year.

38-2-7 **UTILITY DEPOSITS.**
(A) **Non-Owners.** When an application is made for utility service in accordance with the provision of this Chapter, if the applicant is not the record owner of the property for which service is requested, he/she shall deposit with his/her application, the sum of **Two Hundred Dollars (\$200.00)** for residential service.

(B) **Owner.** If the applicant is the record owner of the property for which service is requested, the deposit shall be **One Hundred Dollars (\$100.00)** for residential service and may be refunded after **one (1) year**, if all utility charges have been paid.

(C) **Business.** An applicant shall deposit **two and one-half (2 ½) times** the estimated average monthly bill based on previous use of water and sewer services for a business at such location. The Mayor has the right to adjust this deposit when the situation dictates such adjustment.

(D) **Security for Payment – No Interest.** No interest shall accrue or be paid on any deposit held by the City.

(E) **Senior Citizens.** Upon proof of age, any person over the age of **sixty (60)** shall not have to make such deposits for owner occupied residential service. **(Ord. No. 10-06; 02-09-10)**

ARTICLE III – UTILITY RATES

DIVISION I – GENERAL

38-3-1 **BUILDING UNIT DEFINED.** All persons or families residing in a building under one roof, be it an apartment or homes converted into more than one dwelling place, each family or individual resident residing therein shall be deemed an individual customer and such homes or apartments or dwellings shall be billed for at least one minimum water and/or sewer account according to the number of families or individual residents residing therein.

38-3-2 **REVENUES.** All revenues and moneys derived from the operation of the water and sewer systems shall be deposited in the Combined Water and Sewage Fund. All such revenues and moneys shall be held by the City Treasurer separate and apart from his private funds and separate and apart from all other funds of the City and all of said sum, without any deductions whatever, shall be delivered to the City Treasurer not more than **ten (10) days** after receipt of the same, or at such more frequent intervals as may, from time to time, be directed by the City Council.

The City Treasurer shall receive all such revenues from the water and sewer systems and all other funds and moneys incident to the operation of such systems as the same may be delivered to him and deposit the same in the account of the fund designated as the "Water and Sewage Fund of the City". The Treasurer shall administer such fund in every respect in the manner provided by the **Illinois Compiled Statutes, Chapter 65. (See Chapter I; Art. II)**

38-3-3 **ACCOUNTS.** The City Treasurer shall establish a proper system of accounts and shall keep proper books, records and accounts in which complete and correct entries shall be made of all transactions relative to the water and sewer systems 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 water and sewer systems.

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

- (A) Flow data showing total gallons received at the wastewater plant for the current fiscal year.
- (B) Billing data to show total number of gallons billed.

- (C) Debt service for the next succeeding fiscal year.
- (D) Number of users connected to the system.
- (E) Number of non-metered users.
- (F) A list of users discharging non-domestic wastes (industrial users) and volume of waste discharged.

38-3-4 **NOTICE OF RATES.** A copy of this Article, properly certified by the City Clerk, shall be filed in the office of the County Recorder of Deeds and shall be deemed notice to all owners of real estate of the charges of the water and sewer systems of the City on their properties. Each user shall be notified at least annually, in conjunction with a regular bill, of the rate and that portion of the user charges which are attributable to wastewater treatment services.

38-3-5 **ACCESS TO RECORDS.** The Illinois Environmental Protection Agency, United States Environmental Protection Agency, or its authorized representative shall have access to any books, documents, papers and records of the City which are applicable to the City's 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 Federal Grant.

38-3-6 **APPEALS.** The method for computation of rates and service charges established for user charges in **Article III** shall be made available to a user within **fifteen (15) days** of receipt of a written request for such. Any disagreement over the method used, or in the computation thereof, shall be remedied by a third party selected by both parties within **ninety (90) days** after notification of a formal written appeal outlining the discrepancies.

38-3-7 **SPECIAL RATES.** The City reserves the right to make special charges for water or sewage service supplied to properties not covered by the above rates, or which, in the judgment of the City, should be charged special rates. **(Ord. No. 90-15; 11-14-90)**

38-3-8 **CHARGE FOR WATER LINE BREAKS.** Whenever a water line break occurs on the customer side of the water meter, the customer will be billed for the actual cost of the water passing through such meter however the sewer bill will be adjusted down to the average bill for the last year on such account. **(Ord. No. 02-16; 12-10-02)**

38-3-9 - 38-3-11 **RESERVED.**

DIVISION II - WATER RATES

38-3-12 WATER TAP-ON FEES.

(A) **Taps.** A person desiring a **three-fourths (3/4) inch** service connection to the water system shall file a permit as required in **Section 38-4-1** and pay a fee of **One Thousand Dollars (\$1,000.00)** for a tap inside the City limits or a fee of **One Thousand Two Hundred Dollars (\$1,200.00)** for taps outside the City limits. A **one (1) inch** service connection shall be the amount of the required tap fee, plus **One Hundred Dollars (\$100.00)** additional for materials, whether inside or outside the City limits. Also those properties outside the City limits shall be charged a special assessment of **Three Dollars (\$3.00)** per month. The tap fee shall include **sixty (60) feet** of pipe, on meter, tile, lid, labor for such service connection, tapping band up to **twelve (12) inches**, coppersetter, 90° ell., corporation stop, and tail pieces; provided, however, all service lines beyond **sixty (60) feet** shall be billed to the applicant for time and materials. A service connection larger than **one (1) inch** shall be calculated by the job based on time and materials. If the applicant for a tap is also going to be the resident of that service then the applicant can pay **one-half (1/2)** of the tap before the tap is made and be billed on his/her next bill for the other **one-half (1/2)**. If the person making application is not going to be residing at the service for which the tap is made then the whole tap fee shall be paid before such tap can be made. Those persons residing outside the City limits will also be required to sign an annexation agreement with the City which will allow the annexation of said property at such time as the City deems appropriate. **(Ord. No. 10-06; 02-09-10)**

(B) **Illinois Plumbing Code.** All water tap and service connections made to the mains of the Waterworks System of the City shall conform to the regulations of this Code and of the Illinois Plumbing Code. All connections and installations shall be made by a licensed plumber. **(Ord. No. 10-06; 02-09-10)**

38-3-13-1 WATER RATES WITHIN CITY LIMITS OF MURPHYSBORO. Water service shall be billed at the following rates, based on monthly water meter readings, with residential customers within the City being billed at a minimum of **two thousand five hundred (2,500) gallons** per month:

(A) **WATER SERVICE - REGULAR.**

Per 1,000 gallons \$5.77

(B) **WATER SERVICE - INDUSTRIAL.**

Industrial water rates for Industries that employ over 100 employees and consume over 1,000,000 gallons per month:

Gallons of Water Used

Per Month

First 100,000

Over 100,000

Per 1,000 gallons

\$5.77

4.71

(Ord. No. 14-14; 12-09-14)

38-3-13-2 WATER RATES OUTSIDE CITY LIMITS OF MURPHYSBORO. Water service shall be billed at the following rates, based on monthly water meter readings, with residential customers outside the City being billed at a minimum of **two thousand five hundred (2,500) gallons** per month:

- (A) **WATER SERVICE - REGULAR.**
Per 1,000 gallons \$6.59
- (B) **WATER SERVICE - INDUSTRIAL.**
Industrial water rates for Industries that employ over 100 employees and consume over 1,000,000 gallons per month:
Per 1,000 gallons \$6.59

(Ord. No. 14-14; 12-09-14)

38-3-13-3 RESERVED. (Ord. No. 13-17; 12-10-13)

38-3-13-4 WATER PURCHASED AT THE WATER MACHINE AND MONTHLY ASSESSMENT.

(A) Water purchased at the water machine shall be billed and paid at the rate of **Fifty Cents (\$0.50)** per **one hundred (100) gallons**.

(B) Each water customer shall pay a monthly assessment for each water service to be used solely for the maintenance of existing water lines of **Fifty Cents (\$0.50)**.

(Ord. No. 10-08; 04-13-10)

38-3-14 MINIMUM CHARGE PER MONTH. There shall be charged to all water customers the following minimum charges, based upon the meter size, excepting that residential customers shall be billed on a bi-monthly basis and shall be charged twice the amounts set out below. The City reserves the right to determine meter size to any building or premises within the system:

<u>Size of Meter</u>	<u>Inside City Limits</u>	<u>Size of Meter</u>	<u>Outside City Limits</u>
5/8"	\$14.14	5/8"	\$25.92
3/4"	22.38	3/4"	30.03
1"	33.63	1"	35.66
1 1/2"	65.09	1 1/2"	68.98
2"	104.60	2"	110.99
3"	193.13	3"	205.16
4"	342.51	4"	364.04
6"	689.07	6"	732.49

(Ord. No. 14-14; 12-09-14)

38-3-15 PRIVATE FIRE PROTECTION SERVICE. Unmetered water service available to any consumer in the City, having a private Fire Hydrant or an Automatic Sprinkler System where there are no outlets from which water can be used for any purpose other than fires and where no meter is required. The rate is based on the size of the connection:

<u>Size of Connection</u>	<u>Annual Charge (Rate)</u>
1"	\$16.00
1 1/2"	20.00
2"	26.60
3"	39.90
4"	59.85
6"	106.40

38-3-16 - 38-3-20RESERVED.

DIVISION III – SEWER RATES

38-3-21 **BASIS FOR WASTEWATER SERVICE CHARGES.** The wastewater service charge for the use of and for service supplied by the wastewater facilities of the City shall consist of a basic user charge for operation and maintenance plus replacement, depreciation, debt reduction and a surcharge, if applicable.

The debt service charge shall be computed by dividing the annual debt service of all outstanding loans by the number of users. Through further divisions, the monthly debt service charge can be computed.

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

(A) A **five (5) day, twenty degree Celsius (20°C)** biochemical oxygen demand (BOD) of **200 mg/l**.

(B) A suspended solids (SS) content of **250 mg/l**.

It shall consist of operation and maintenance costs, plus replacement, depreciation and debt retirement and shall be computed as follows:

(C) Estimate the projected annual revenue required to operate and maintain the wastewater facilities, including a replacement, depreciation and debt retirement fund for the year for all works categories.

(D) Proportion the estimated costs to wastewater facility categories by Volume, Suspended Solids and BOD, if possible.

(E) Estimate wastewater volume, pounds of SS and pounds normal sewage strength.

(F) Compute costs per **one thousand (1,000) gallons** for normal sewage strength.

(G) Compute surcharge costs per mg/l in excess of normal sewage strength for BOD and SS.

A surcharge shall be levied to all users whose BOD and SS exceed **200 mg/l** and **280 mg/l** respectively. The surcharge shall be based on water usage as recorded by water meters and/or sewage meters for all wastes which exceed the **200 mg/l** and **250 mg/l** concentration for BOD and SS respectively. **Section 38-3-26** specifies the procedure to compute a surcharge.

The adequacy of the wastewater service charge shall be reviewed annually by Certified Public Accountants for the City in their annual audit report. The wastewater service charge shall be revised periodically to reflect a change in debt service or a change in operation and maintenance costs, including replacement costs.

38-3-22 **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 **one hundred (100) gallons**.

(A) If the person discharging wastes into the public sewers procures any part or all of his water from sources other than the City Waterworks System, all or 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 City 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 City if these volumes cannot otherwise be determined from the metered water consumption records.

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

38-3-23 RESERVED. (Ord. No. 15-5; 05-05-15)

38-3-24 WASTEWATER SERVICE CHARGE. There is hereby established a monthly charge for the operation, maintenance, replacement, improvement and debt service of the wastewater treatment facilities of the City in the amount of **Twenty-Five Dollars Thirty-Six Cents (\$25.36)** based on the minimum of **two thousand five hundred (2,500) gallons** of water consumed as shown by the meter readings of each customer, plus a basic user rate of **Two Dollars Fifteen Cents (\$2.15)** per **one thousand (1,000) gallons** of water consumed per customer above the minimum usage of **two thousand five hundred (2,500) gallons.**

Therefore, sewer charges shall be:

First 2,500 gallons per month:

\$25.36 (Minimum Bill)

All Over 2,500 gallons:

\$2.15 per 1,000 gallons

(Ord. No. 15-5; 05-05-15)

38-3-25 SURCHARGE RATE. The rates of surcharges for BOD and SS shall be as follows:

\$0.29 per pound of BOD

\$0.25 per pound of SS

38-3-26 **COMPUTATION OF SURCHARGE.** The concentration of wastes used for computing surcharges shall be established by flow measurement and waste sampling. Waste sampling and flow measurement shall be performed as often as may be deemed necessary by the City and shall be binding as a basis for surcharges.

38-3-27 **WASTEWATER SERVICE CHARGE COMPUTATION.** The wastewater service charge for users within the City corporate limits shall be computed by the following formula:

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

Where	CW	=	Amount of waste service charge (\$) per billing period. (Monthly)
	CD	=	Debt Service Charge. (Section 38-3-23)
	CM	=	Minimum Charge for Operation, Maintenance and Replacement. (Section 38-3-24)
	Vu	=	Wastewater Volume for the billing period. (Gallons)
	X	=	Allowable consumption in gallons for the minimum charge. (Section 38-3-24)
	CU	=	Basic User Rate for Operation, Maintenance and Replacement. (Section 38-3-24)
	CS	=	Amount of Surcharge. (Sections 38-3-25 and 38-3-26)

38-3-28 **INITIAL AND MINIMUM CHARGES WHETHER SEWER USED OR NOT.** The rates as shown in the rates schedule in this Division shall be paid by each customer who has signed a user contract, beginning at the time the City makes the service available to the customer.

The minimum rate shall be paid by those customers not using the service even though they may not be connected to the system, provided the service is available from the City.

38-3-29 **COSTS BORNE BY OWNER.** All costs and expenses including labor and material incidental to the installation, connection and maintenance of a lateral sewer line shall be borne by the owner(s). The owner(s) shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation, connection and maintenance of the lateral sewer lines. This Section shall apply even where the lateral sewer line runs under a public street, public right-of-way, or public easement.

38-3-30 **SEWER CONNECTION.** A permit shall be secured from the City prior to a person connecting to the sewer system. A fee of **Three Hundred Dollars (\$300.00)** shall be paid by the applicant at the time the permit is filed for residents within the City limits. Persons outside the City limits for which a sewer extension has been made shall pay a fee of **Three Hundred Dollars (\$300.00)** at time of permit filing. **(Ord. No. 10-06; 02-09-10)**

38-3-31 SEWER CONNECTIONS – SPECIAL ASSESSMENTS. In designated areas where the City has installed sewer main extensions, the person desiring sewer services shall apply for a permit and pay the charges as follows:

(A) **North Twenty-Third (23rd) Street; North Twenty-Fourth (24th) Street; Illinois Avenue and Replogle Subdivision.** In these areas, the applicant shall pay a **Three Hundred Dollar (\$300.00)** special assessment fee, plus a **Twenty Dollar (\$20.00)** sewer tap fee. Thereafter, each user shall pay an additional **Two Dollars (\$2.00)** per month construction fee.

(B) **North Seventh (7th) Street; Mt. Carbon Area; Suburban Drive; North Fourteenth (14th) Street; From Rendezvous Drive to Suburban Drive; South Ninth (9th) Street; Peanut Hill; Illinois Avenue Between Sixth (6th) Street and Eighth (8th) Street.** In those designated areas, an applicant shall pay a tap-in fee of **Three Hundred Fifty Dollars (\$350.00)** where Housing and Urban Development funds were used.

ARTICLE IV - WATER SYSTEM

DIVISION I - GENERAL REGULATIONS

38-4-1 APPLICATION FOR TAPS AND SERVICE CONNECTIONS TO THE WATERWORKS SYSTEM. An applicant desiring a water tap or service connection with the Waterworks System of the City shall file a written application at the City Hall, signed by the owner of the property for which the tap or service connection is desired, or by the duly authorized agent of such owner. The application shall be accompanied by payment of the fee hereinafter prescribed to cover the cost of such service connection. In the event the application is made by an agent for the owner, then the application shall also be accompanied by the written authority of the owner to the agent for the making of the application. **(See Article III for fees.)**

38-4-2 ALL SERVICE TO BE BY METER. All water service, whether for domestic, commercial or industrial use shall be metered. All meters shall be so placed and installed as to render the same accessible at all times for the purpose of reading or repairing and so as to be free from danger of freezing. Meters outside of a building shall be set in a suitable meter box approved by the Water and Sewer Committee. Water shall not be turned on for new connections until the meter has been installed and all other requirements of this Chapter on the part of the property owner have been fully complied with.

Should concrete or any other permanent materials be constructed or placed around the meter tile, it shall be the responsibility of the owner and/or user to remove said obstruction if it is not possible to repair or replace the water meter. If a user backfills his yard, it will be his responsibility to raise the water service so as to be accessible to repair.

38-4-3 INSPECTION.

(A) **Access to Premises.** The City shall have access to all portions of the premises of the consumer at any reasonable time for inspection of the use of water and the consumer's pipe, fixtures, plumbing, and any other apparatus in any manner connected to the Waterworks System of the City. The City shall have the right and option to demand change or stopping of use or to require any repair, change, removal or improvement of any pipe, fixture, plumbing or other apparatus that would in any manner affect the water supply or system of the City or the supply or fixtures of other consumers.

(B) **Meters to be Open to Inspection.** All water meters and water fixtures, connections and appurtenances on private property connected with the Waterworks System of the City shall be open to the inspection of the proper officers and employees of the City at all reasonable hours.

38-4-4 **METER DAMAGED.** Whenever a meter is found to have been damaged by hot water being forced back into it from the consumer's hot water or heating apparatus or for any other cause within control of the consumer, the consumer shall pay the City for the actual cost of the removal, repair, and replacement of the damaged meter and all previous water bills shall be corrected on an estimated basis to cover such period as it appears that the meter was out of order for such damage.

38-4-5 **DAMAGE DUE TO INTERRUPTION OF SERVICE; LIABILITY.** All connections for the water services applied for hereunder and all connections now attached to the present City Waterworks System and all use or service of the system shall be upon the express condition that the City will not be liable for nor shall any claim be made against it for damages or injury caused by reason of the breaking of any main, service, pipe, apparatus or appurtenance connected with the Waterworks System or for any interruption of the supply of water by reason of the breaking of machinery or by reason of stoppages, alterations or renewals.

38-4-6 **RESALE.** No water shall be resold or distributed by the recipient or consumer thereof from the City supply to any premises other than that for which application has been made and the meter installed, except in cases of emergency.

38-4-7 **DISCONTINUING SERVICE - DANGEROUS USAGE.** The City shall have the right to refuse water service or to discontinue water service, without notice, at any time to any consumer if the City finds any apparatus or appliances, the operation of which will be detrimental to the water system of the City or to any or all of its consumers. Standpipes, hydrants, gate valves and any other apparatus that cause water hammer or any danger to the water system or other customer's plumbing shall be immediately repaired or removed upon notice from the City or, at its option, the City may immediately discontinue service without notice and without any liability for direct or resulting damages therefrom.

38-4-8 **ELECTRIC GROUND WIRES.** All persons are strictly forbidden to attach any electric ground wire to any plumbing or water piping which is or may be connected to any water service pipe, water meter, or water main belonging to the City.

The City shall hold the owner of the premises responsible and liable for any damage to the property or injury to the employees of the City caused by such ground wire. Any and all owners and consumers shall remove any existing ground wires immediately upon written notice from the City. If not so disconnected **five (5) days** after notice, the City, through its officials, may enter the property and remove such ground wires and the consumer shall pay all costs.

38-4-9 WATER FOR BUILDING OR CONSTRUCTION PURPOSES.

Applicants desiring to use water from the City Waterworks System for building or construction purposes shall make application therefor to the Superintendent of the Water and Sewer Department on a form provided by the Water and Sewer Department for that purpose.

Upon a permit being granted, the service pipe shall be carried at the expense of the applicant to the inside of the curb line where a service cock and meter shall be placed with pipe leading to the surface and a faucet placed at the end thereof above the surface. When the building or construction is completed, the faucet and meter shall be removed and the water shut off unless permanent connection is made in accordance with the provisions of this Chapter. Charge for the use and connection of the meter shall be prescribed by the Superintendent of the Water and Sewer Department.

38-4-10 FIRE HYDRANTS.

(A) All public fire hydrants with gate valves, tees, and connections from the main, inside the City Limits, shall be owned, maintained and used only by the City and shall be solely responsible for same. Use of water from fire hydrants by contractors and others shall be only upon permission by the City and after approved application to the City.

(B) The City shall not be held liable and will not assume any responsibility for the condition of any fire hydrant inside or outside of the City Limits or the pressure or amount of water obtainable therefrom or any damage either direct or resultant because of the condition, pressure or amount of water available at any fire hydrant.

(C) All public fire hydrants located outside the City Limits owned by the City shall be maintained in as good order as reasonably possible, but the City will not undertake or assume any responsibility or liability for their condition or use or abuse. Such public fire hydrants shall be used only for the purpose of extinguishing fires except when the City may issue a special permit for their use to contractors who shall then be responsible for the hydrants and the use of water from them.

38-4-11 LAWN WATERING. The right is reserved to suspend the use of lawn fountains and hoses for sprinkling lawns and gardens whenever, in the opinion of the City, public exigencies require it.

38-4-12 SHORTAGE AND PURITY OF SUPPLY. The City shall not be held responsible for or in any manner liable to any person, company, consumer or public body for any claim or damage, either direct or resultant because of any shortage of water supply, any shutoff of water for any reason, any bursting or leakage of either the consumer's or City's mains, pipes and fixtures, any pollution or impurity in water supply or any fire or water damage.

38-4-13 NON-COMPLIANCE WITH RULES AND REGULATIONS. If any consumer fails to comply with any of the rules and regulations in force, the City shall notify the consumer of such failure. If the consumer does not remedy the same as the rules provide and within a reasonable time, the City shall have the right to discontinue service. Except in case of non-payment, emergency, necessity, or as otherwise provided, the City will not discontinue service for violation of any rule until **five (5) days** after notice has been given and the violation has not been remedied.

38-4-14 EASEMENTS. The consumer shall give such easements and rights-of-way as necessary to the City and allow access for the purpose of construction, repair, maintenance, meter reading, relocation or expansion of the water system. The necessity shall be determined by the City Council.

38-4-15 USE OF WATER ON CONSUMER'S PREMISES. The City shall reserve the right to use the water from the consumer's facilities at any time deemed necessary. No charge shall be made by the consumer for the use of the facilities and no charge shall be made by the City for the water used by the City.

38-4-16 RULES TO BECOME PART OF CONTRACT. All of the rules and regulations concerning the use of the facilities of the water system and the consumption of water shall be adopted and the same shall become part of the contract with every water consumer and every water consumer shall be considered to take water from the City, subject thereto and bound thereby.

38-4-17 **INSTALLING AND MAINTAINING SERVICE LINES.** The user shall be responsible for installation and maintenance of service lines between the curb stop and the residence or business. Such service lines must be at least **three-fourths (3/4) inch** in diameter, and must be installed at a minimum depth of **four (4) feet**. Service lines must have a minimum working pressure rating of **160 psi at 73.4 degrees F** and must be constructed of one of the following types of materials: Copper, (Type K), polyvinyl chloride (PVC), polyethylene or polybutylene. Service lines shall not be covered until they are inspected and approved by the Superintendent.

The user shall not connect any service line or any plumbing connected with the service line to any other water source. The service line shall meet all requirements of the Illinois Environmental Protection Agency's rules and regulations, the Illinois Plumbing Code, and the regulations in this Chapter.

38-4-18 **ALLOCATION OF MAINTENANCE COSTS BETWEEN USER AND CITY.** The City shall maintain and repair all water service pipes between the water mains and the curb lines. Any repairs to service lines or taps between the water mains and the sidewalk or property line shall be the City's expense. Any repairs or renewals of water service pipes between the property line or curb line and extending to the owner's premises shall be made at the sole expense of the consumer or owner of the premises. **(Ord. No. 66-4; 03-25-64)**

38-4-19 **CITY NOT LIABLE FOR INTERRUPTION OF SUPPLY.** The City shall have the right to shut off the supply of water whenever it is necessary to make repairs, improvements, enforce rules or for any notice as circumstances allow, will be given to consumers but in emergencies, the water may be shut off without notice. All hot water faucets shall be left open during any shut-off to prevent damage to plumbing. Such necessary work will be done as rapidly as may be practical and whenever feasible at such times as will cause the least inconvenience. The City shall not be held responsible for or liable because of any shut-off of supply for any direct or resultant damages to any person, company or consumer or to any pipe, fixtures, or plumbing.

Water for steam boilers, gas engines, ice plants, or other industrial use, shall not be furnished by direct pressure from the mains, but only to tanks holding ample reserve supply. Should any equipment be supplied direct from mains, then in case of any shutoff of water, the City will not be held responsible or liable for any direct or resulting damage because of interrupted supply, insufficient pressure, or otherwise.

Whenever water mains, pipes and service connections are taken up, shut-off or interfered with by reason of any City street im-

provements, the City will endeavor to maintain service so far as reasonably possible, but will not be directly or indirectly liable for any interruption, poor pressure, or damage of any kind either to consumers, adjacent or to other consumers affected thereby.

The City expressly stipulates with all its consumers and other persons that it will not insure or be responsible or liable in any manner for any losses, or damages, direct or resultant by reason of any fire, and all water service furnished shall always be conditional upon acts of God, inevitable accidents, fire, strikes, riots, war, or any other cause not within the reasonable control of the City.

DIVISION II - CROSS-CONNECTION ADMINISTRATION

38-4-20 **APPROVED BACKFLOW DEVICE.** All plumbing installed within the City shall be installed in accordance with the Illinois Plumbing Code, 77 Ill. Adm. Code 890. If, in accordance with the Illinois Plumbing Code or in the judgment of the Superintendent, an approved backflow prevention device is necessary for the safety of the public water supply system, the Superintendent shall give notice to the water customer to install such an approved device immediately. The water customer shall, at his own expense, install such an approved device at a location and in a manner in accordance with the Illinois Plumbing Code, Illinois Environmental Protection Agency and all applicable local regulations, and shall have inspections and tests made of such approved devices upon installation and as required by the Illinois Plumbing Code, Illinois Environmental Protection Agency and local regulations.

38-4-21 **CROSS-CONNECTION PROHIBITED; EXCEPTION.** No person 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 enters the supply or distribution system of the City, 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 and the Illinois Environmental Protection Agency.

38-4-22 **INVESTIGATIONS BY SUPERINTENDENT.** It shall be the duty of the Superintendent to cause surveys and investigations to be made of commercial, industrial and other properties served by

the public water supply to determine whether actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated at least every **two (2) years** or as often as the Superintendent shall deem necessary. Records of such surveys shall be maintained and available for review for a period of at least **five (5) years**.

38-4-23 **RIGHT TO ENTER PREMISES.** The approved cross-connection control device inspector shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system for the purpose of verifying the presence or absence of cross-connections and that the Superintendent or his authorized agent shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system for the purpose of verifying information submitted by the customer regarding the required cross-connection control inspection. On demand, the owner, lessee or occupants of any property so served shall furnish to the Superintendent any information which he may request regarding the piping system or systems or water use on such property. The refusal of such information when demanded shall, within the discretion of the Superintendent, be evidence of the presence of improper connections as provided in this Chapter.

38-4-24 **NOTICE TO CUSTOMER; RECONNECT FEE.**

(A) The Superintendent 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 Chapter 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 Chapter and until a reconnection fee of **One Hundred Dollars (\$100.00)** is paid to the City Clerk.

(B) Immediate disconnection with verbal notice can be effected when the Superintendent is assured that imminent danger of harmful contamination of the public water supply system exists. Such action shall be followed by written notification of the cause of disconnection. Immediate disconnection without notice to any party can be effected to prevent actual or anticipated contamination or pollution of the public water supply, provided that, in the reasonable opinion of the Superintendent or the Illinois Environmental Protection Agency, such action is required to prevent actual or potential contamination or pollution of the public water supply.

(C) The public water supply, the Superintendent or the agents or assigns shall not be liable to any customer for any injury, damages or lost revenues which may result from termination of the customer's water supply in accordance with the terms of this Chapter, whether or not said termination was with or without notice.

38-4-25 **CONTAMINATIONS COST AND THE CONSUMER.** The consumer responsible for backsiphoned material or contamination through backflow, if contamination of the potable water supply system occurs through an illegal cross-connection or an improperly installed, maintained or repaired device, or a device which has been bypassed, shall bear the cost of clean-up of the potable water supply system. **(Ord. No. 86-20; 10-14-86)**

38-4-26 - 38-4-30 **RESERVED.**

DIVISION III - CROSS-CONNECTION CONTROL CODE

38-4-31 **PURPOSE.** The purpose of these Rules and Regulations is:

(A) To protect the public water supply system from contamination or pollution by isolating within the customer's water system contaminants or pollutants which could backflow through the service connection into the public water supply system.

(B) To promote the elimination or control of existing cross-connections, actual or potential, between the public or consumer's potable water system and non-potable water systems, plumbing fixtures and sources or systems containing substances of unknown or questionable safety.

(C) 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.

38-4-32 **APPLICATION.** These Rules and Regulations shall apply to all premises served by the public potable water supply system of the City.

38-4-33 **RESPONSIBILITY OF OWNER.** The owner or official custodian shall be responsible for protection of the public water supply system from contamination due to backflow or back-siphonage of contaminants through the customer's water service connection. If, in the judgment of the Superintendent or his authorized representative, an approved backflow prevention device is necessary for the safety of the public water supply system, the Superintendent 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 as required in **Section 38-4-37(D)** below for a period of at least **five (5) years**. The Superintendent of Water may require the consumer to submit a cross-connection inspection report to the City to assist in determining whether or not service line protection will be required. All cross-connection inspections shall be conducted by a Cross-Connection Control Device Inspector certified by the Illinois Environmental Protection Agency.

38-4-34 **DEFINITIONS.** The following definitions shall apply in the interpretation and enforcement of these regulations:

"Fixed Proper Air Gap" means the unobstructed vertical distance through the free atmosphere between the water discharge point and the flood level rim of the receptacle.

"Agency" means Illinois Environmental Protection Agency.

"Approved" means backflow prevention devices or methods approved by the Research Foundation for Cross-Connection Control of the University of Southern California, Association of State Sanitary Engineers, American Water Works Association, American National Standards Institute or certified by the National Sanitation Foundation.

"Auxiliary Water System" means any water source or system on or available to the premises other than the public water supply system and includes the water supplied by the system. These auxiliary waters may include water from another purveyor's public water supply system; or water from a source such as wells, lakes, or streams or process fluids; or used water. These waters may be polluted or contaminated or objectionable or constitute a water source or system over which the water purveyor does not have control.

"Backflow" means the backflow 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.

"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.

"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.

"Consumer's Water System" means any water system located on the customer's premises. A building plumbing system is considered to be a customer's water system.

"Contamination" means an impairment of the quality of the water by entrance of any substance to a degree which could create a health hazard.

"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 a 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 which an unknown substance can be forced, drawn by vacuum or otherwise introduced into a safe potable water system.

"Double Check Valve Assembly" means an assembly composed of single, independently acting check valves approved under ASSE Standard 1015. A double check valve assembly and suitable connections for testing the water-tightness of each check valve.

"Health Hazard" means any condition, device or practice in a water system or its operation resulting from a real or potential danger to the health and well-being of consumers. The word "severe" as used to qualify "health hazard" means a hazard to the health of the user that could be expected to result in death or significant reduction in the quality of life.

"Inspection" means a plumbing inspection 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, 77 Ill. Admn. Code 890.

"Non-potable Water" means water not safe for drinking, personal, or culinary use as determined by the requirements of 35 Ill. Adm. Code 604.

"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 drain to the building sewer or private sewage disposal system **five (5) feet** beyond the foundation walls.

"Pollution" means the presence of any foreign substance (organic, inorganic, radiological, or biological) in water that tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water.

"Potable Water" means water which meets the requirements of 35 Ill. Adm. Code 604 for drinking, culinary, and domestic purposes.

"Potential Cross-Connection" means a fixture or appurtenance with threaded hose connection, tapered spout, or other connection which would facilitate extension of the water supply line beyond its legal termination point.

"Process fluid(s)" means any fluid or solution which may be chemically, or biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, pollutional, or system hazard if introduced into the public or a consumer's potable water system. This includes but is not limited to:

- (1) polluted or contaminated waters;
- (2) process waters;
- (3) used waters originating from the public water supply system which may have deteriorated in sanitary quality;
- (4) cooling waters;
- (5) questionable or contaminated natural waters taken from wells, lakes, streams, or irrigation systems;
- (6) chemicals in solution or suspension;
- (7) oils, gases, acids, alkalis and other liquid and gaseous fluids used in industrial or other processes, or for fire fighting purposes.

"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 cribs, 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. A public water supply is either a "community water supply" or a "non-community water supply".

"Reduced Pressure Principle Backflow Prevention Device" means a device containing a minimum of two independently acting check valves together with an automatically operated pressure differential relief valve located between the two check valves and approved under ASSE Standard 1013. During normal flow and at the cessation of normal flow, the pressure between these two checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check valves at less than the supply pressure. The unit must include tightly closed shutoff valves located at each end of the device, and each device shall be fitted with properly located test cocks.

"Service Connection" means the opening, including all fittings and appurtenances, at the water main through which water is supplied to the user.

"Survey" means the collection of information pertaining to a customer's piping system regarding the location of all connections to the public water supply system and must include the location, type and most recent inspection and testing date of all cross-connection control devices and methods located within that customer's piping system. The survey must be in written form, and should not be an actual plumbing inspection.

"System Hazard" means a condition through which an aesthetically objectionable or degrading material not dangerous to health may enter the public water supply system or a consumer's potable water system.

"Used Water" means any water supplied by a public water supply system to a consumer's water system after it has passed through the service connection and is no longer under the control of the water supply official custodian.

"Water Purveyor" means the owner or official custodian of a public water system.

38-4-35 WATER SYSTEM.

(A) The water system shall be considered as made up of two parts: the public water supply system and the consumer's water system.

(B) The public water supply system shall consist of the source facilities and the distribution system, and shall include all those facilities of the potable water system under the control of the Superintendent of Water up to the point where the consumer's water system begins.

(C) The source shall include all components of the facilities utilized in the production, treatment, storage, and delivery of water to the public water supply distribution system.

(D) The public water supply distribution system shall include the network of conduits used to deliver water from the source to the consumer's water system.

(E) The consumer's water system shall include all parts of the facilities beyond the service connection used to convey water from the public water supply distribution system to points of use.

38-4-36 CROSS-CONNECTION PROHIBITED.

(A) Connections between potable water systems and other systems or equipment containing water or other substances of unknown or questionable quality are prohibited except when and where approved cross-connection control devices or methods are installed, tested and maintained to insure proper operation on a continuing basis.

(B) No physical connection shall be permitted between the potable portion of a supply and any other water supply not of equal or better bacteriological and chemical quality as determined by inspection and analysis by the Agency.

(C) There shall be no arrangement or connection by which an unsafe substance may enter a supply.

38-4-37 SURVEY AND INVESTIGATIONS.

(A) The consumer's premises shall be open at all reasonable times to the approved cross-connection control device inspector for the inspection of the presence or absence of cross-connections within the consumer's premises, and testing, repair and maintenance of cross-connection control devices within the consumer's premises.

(B) On request of the Superintendent, or his authorized representative, the consumer shall furnish information regarding the piping system or systems or water use within the customer's premises. The consumer's premises shall be open at all reasonable times to the Superintendent of Water for the verification of information submitted by the inspection consumer to the public water supply custodian regarding cross-connection inspection results.

(C) It shall be the responsibility of the water consumer to arrange periodic surveys of water use practices on his premises to determine whether there are actual or potential cross-connections to his water system through which contaminants or pollutants could backflow into his or her public potable water system. All cross-connection control or other plumbing inspections must be conducted in accordance with **Ill. Comp. Stat., Ch. 225, Sec. 320/3.**

(D) It is the responsibility of the water consumer to prevent backflow into the public water system by ensuring that:

- (1) All cross-connections are removed; or approved cross-connection control devices are installed for control of backflow and back-siphonage.
- (2) Cross-connection control devices shall be installed in accordance with the manufacturer's instructions.
- (3) Cross-connection control devices shall be inspected at the time of installation and at least annually by a person approved by the Agency as a cross-connection control device inspector (CCCDI). The inspection of mechanical devices shall include physical testing in accordance with the manufacturer's instructions.
- (4) Testing and Records
 - (a) Each device shall be tested at the time of installation and at least annually or more frequently if recommended by the manufacturer.
 - (b) Records submitted to the community public water supply shall be available for inspection by Agency personnel in accordance with **Ill. Comp. Stat., Ch. 415, Sec. 5/4(e).**
 - (c) Each device shall have a tag attached listing the date of most recent test, name of CCCDI, and type and date of repairs.
 - (d) A maintenance log shall be maintained and include:
 1. date of each test;
 2. name and approval number of person performing the test;

3. test results;
4. repairs or servicing required;
5. repairs and date completed; and
6. servicing performed and date completed.

38-4-38 WHERE PROTECTION IS REQUIRED.

(A) An approved backflow device shall be installed on all connections to the public water supply as described in the Plumbing Code, 77 Ill. Adm. Code 890 and the Agency's regulations 35 Ill. Adm. Code 680. In addition, an approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises, where in the judgment of the Superintendent, actual or potential hazards to the public water supply system exist.

(B) An approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises where the following conditions exist:

- (1) Premises having an auxiliary water supply, unless such auxiliary supply is accepted as an additional source by the Superintendent of Water and the source is approved by the Illinois Environmental Protection Agency.
- (2) Premises on which any substance is handled which can create an actual or potential hazard to the public water supply system. This shall include premises having sources or system containing process fluids or waters originating from the public water supply system which are no longer under the sanitary control of the Superintendent of Water.
- (3) Premises having internal cross-connections that, in the judgment of the Superintendent of Water and/or the Cross-Connection Control Device Inspector, are not correctable or intricate plumbing arrangements which make it impractical to determine whether or not cross-connections exist.
- (4) Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross-connection survey.
- (5) Premises having a repeated history of cross-connections being established or reestablished.

(C) An approved backflow device shall be installed on all connections to the public water supply as described in the Plumbing Code, 77 Ill. Adm. Code 890 and the Agency's regulations 35 Ill. Adm. Code 653. In addition, an approved backflow

prevention device shall be installed on each service line to a consumer's water system serving, but not necessarily limited to, the following types of facilities unless the Superintendent of Water determines that no actual or potential hazard to the public water supply system exists:

- (1) Hospitals, mortuaries, clinics, nursing homes.
- (2) Laboratories.
- (3) Piers, docks, waterfront facilities.
- (4) Sewage treatment plants, sewage pumping stations or storm water pumping stations.
- (5) Food or beverages processing plants.
- (6) Chemical plants.
- (7) Metal plating industries.
- (8) Petroleum processing or storage plants.
- (9) Radioactive material processing plants or nuclear reactors.
- (10) Car washes.
- (11) Pesticide, or herbicide or extermination plants and trucks.
- (12) Farm service and fertilizer plants and trucks.

38-4-39 **TYPE OF PROTECTION REQUIRED.**

(A) The type of protection required under **Section 38-4-38** of these regulations shall depend on the degree of hazard which exists as follows:

- (1) An approved fixed proper air gap separation shall be installed where the public water supply system may be contaminated with substances that could cause a severe health hazard.
- (2) An approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention assembly shall be installed where the public water supply system may be contaminated with a substance that could cause a system or health hazard.
- (3) An approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention assembly or a double check valve assembly shall be installed where the public water supply system may be polluted with substances that could cause a pollution hazard not dangerous to health.

(B) The type of protection required under **Section 38-4-38** of these regulations shall be an approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention connected to the public water supply when:

(C) Where a public water supply or an auxiliary water supply is used for a fire protection system, reduced pressure

principle backflow preventers shall be installed on fire safety systems connected to the public water supply when:

- (1) The fire safety system contains antifreeze, fire retardant or other chemicals;
- (2) water is pumped into the system from another source; or
- (3) water flows by gravity from a non-potable source; or water can be pumped into the fire safety system from any other source;
- (4) there is a connection whereby another source can be introduced into the fire safety system.

(D) All other fire safety systems connected to the potable water supply shall be protected by a double check valve assembly on metered service lines and a double detector check valve assembly on unmetered service lines.

38-4-40 BACKFLOW PREVENTION DEVICES.

(A) All backflow prevention devices or methods required by these rules and regulations shall be approved by the Research Foundation for Cross-Connection Control of the University of Southern California, American Water Works Association, American Society of Sanitary Engineering, or American National Standards Institute or certified by the National Sanitation Foundation to be in compliance with applicable industry specification.

(B) Installation of approved devices shall be made in accordance with the manufacturer's instructions. Maintenance as recommended by the manufacturer of the device shall be performed. Manufacturer's maintenance manual shall be available on-site.

38-4-41 INSPECTION AND MAINTENANCE.

(A) It shall be the duty of the consumer at any premises on which backflow prevention devices required by these regulations are installed to have inspection, tests, maintenance and repair made in accordance with the following schedule or more often where inspections indicate a need or are specified in manufacturer's instructions.

- (1) Fixed proper air gap separations shall be inspected to document that a proper vertical distance is maintained between the discharge point of the service line and the flood level rim of the receptacle at the time of installation and at least annually thereafter. Corrections to improper or by passed air gaps shall be made within **twenty-four (24) hours**.
- (2) Double check valve assemblies shall be inspected and tested at time of installation and at least annually thereafter, and required service performed within **five (5) days**.

- (3) Reduced pressure principle backflow prevention assemblies shall be tested at the time of installation and at least annually or more frequently if recommended by the manufacturer, and required service performed within **five (5) days**.
- (B) Testing shall be performed by a person who has been approved by the Agency as competent to service the device. Proof of approval shall be in writing.
- (C) Each device shall have a tag attached listing the date of most recent test or visual inspection, name of tester, and type and date of repairs.
- (D) A maintenance log shall be maintained and include:
 - (1) date of each test or visual inspection;
 - (2) name and approval number of person performing the test or visual inspection;
 - (3) test results;
 - (4) repairs or servicing required;
 - (5) repairs and date completed; and
 - (6) servicing performed and date completed.
- (E) Whenever backflow prevention devices required by these regulations are found to be defective, they shall be repaired or replaced at the expense of the consumer without delay as required by **Section 38-4-41(A)**.
- (F) Backflow prevention devices shall not be bypassed, made inoperative, removed or otherwise made ineffective without specific authorization by the Superintendent of Water.

38-4-42 BOOSTER PUMPS.

- (A) Where a booster pump has been installed on the service line to or within any premises, such pump shall be equipped with a low pressure cut-off device designed to shut-off the booster pump when the pressure in the service line on the suction side of the pump drops to 20 psi or less.
- (B) It shall be the duty of the water consumer to maintain the low pressure cut-off device in proper working order and to certify to the Superintendent of Water, at least once a year, that the device is operable.

38-4-43 VIOLATIONS AND PENALTIES.

- (A) The Superintendent of Water shall deny or discontinue, after reasonable notice to the occupants thereof, the water service to any premises wherein any backflow prevention device required by these regulations is not installed, tested, maintained and repaired in a manner acceptable to the Superintendent of Water, or if it is found that the backflow prevention device has been removed or bypassed, or if an unprotected cross-connection exists on the premises, or if a low pressure cut-off required by these regulations is not installed and maintained in working order.

(B) Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with these regulations and to the satisfaction of the Superintendent of Water, and the required reconnection fee is paid.

(C) Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects on conformance with these Regulations and to the satisfaction of the Superintendent of Utilities/Operations.

(D) Neither the City, the Superintendent, or its assigns, shall be liable to any customers of the City for any injury, damages or lost revenues which may result from termination.

38-4-44 **DETERMINATION OF WHO PAYS EXPENSE OF EXTENSION.** The City Council shall first determine if an extension of water main is economically feasible based on the estimated cost of the extension and the number of existing potential users that will use water along the extension. If the extension is economically feasible then the City may install and pay the cost of the extension at the discretion of the City Council. If the City elects not to pay the cost of extending the water main then the person or persons desiring water service shall install the extension at their own personal expense upon written consent by the City Council. The City shall not pay for any extensions to an undeveloped area, such as a subdivision being developed, unless there are sufficient existing residents or businesses to make the extension economically feasible.

38-4-45 **CONTRACTOR INSTALLS EXTENSION.**

(A) The City shall approve all plans and specifications for any extensions.

(B) Before any extensions are installed, the plans and specifications shall be reviewed and approved by the State of Illinois, Environmental Protection Agency.

(C) Ownership, rights-of-way, and title shall be conveyed to the City for all extensions installed by anyone other than the City. The City will maintain the mains after they have been inspected and approved by the municipal engineer.

(D) No extension will be permitted if in the opinion of the City Council the system does not have the necessary capacity to serve the proposed extension.

(E) All legal and engineering fees associated with the extension and charged to the City shall be paid by the developer, unless otherwise provided.

ARTICLE V - SEWER

DIVISION I - DEFINITIONS

38-5-1 **DEFINITIONS.** Unless the context specifically indicates otherwise, the meaning of terms used in this Code shall be as follows:

"GOVERNMENT, LOCAL".

(A) **"Superintendent"** shall mean the Superintendent of Utilities of the City, or his authorized deputy, agent, or representative.

(B) **"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.

(C) **"Person"** shall mean any and all persons, natural or artificial including any individual, firm, company, municipal or private cooperation, association, society, institution, enterprise, governmental agency or other entity.

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

"SEWER TYPES AND APPURTENANCES".

(A) **"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.

(B) **"Building Sewer"** shall mean the extension from the building drain to the public sewer or other place of disposal.

(C) **"Combined Sewer"** shall mean a sewer which is designed and intended to receive wastewater, storm, surface and groundwater drainage.

(D) **"Easement"** shall mean an acquired legal right for the specific use of land owned by other.

(E) **"Public Sewer"** shall mean a sewer provided by or subject to the jurisdiction of the City. It shall also include sewers within or outside the City boundaries that serve **one (1)** or more persons and ultimately discharge into the City sanitary sewer or combined sewer system, even though those sewers may not have been constructed with City funds.

(F) **"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.

(G) **"Sewer"** shall mean a pipe or conduit for conveying sewage or any other waste liquids, including storms, surface and groundwater drainage.

(H) **"Sewerage"** shall mean the system of sewers and appurtenances for the collection, transportation and pumping of sewage.

(I) **"Storm Sewer"** shall mean a sewer that carries storm, surface and groundwater drainage, but excludes sewage and industrial wastes other than unpolluted cooling water.

(J) **"Stormwater Runoff"** shall mean that portion of the precipitation that is drained into the sewers.

"TREATMENT":

(A) **"Pretreatment"** shall mean the treatment of wastewater from sources before introduction into the wastewater treatment works.

(B) **"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".

(C) **"Private Sewage Disposal System"** shall mean any sewage disposal system regulated by the County Private Sewage Disposal System Ordinance and/or by the State of Illinois Private Sewage Disposal Licensing Act and Code.

"TYPES OF CHARGES":

(A) **"Basic User Charge"** shall mean the basic assessment levied on all users of the public sewer system (the minimum charge). It is made up of an operation, maintenance and replacement component and a debt reduction component.

(B) **"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.

(C) **"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.

(D) **"Sewerage Fund"** is the principal accounting designation for all revenues received in the operation of the sewerage system.

(E) **"Surcharge"** shall mean the assessment in addition to the basic user charge and debt service charge which is levied on those persons whose wastes are greater in strength than average concentration values as established in **Section 38-3-25**.

(F) **"Useful Life"** shall mean the estimated period during which the collection system and/or treatment works will be operated and shall be **twenty (20) years** from the date of start-up of any wastewater facilities component.

(G) **"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 **Section 38-3-23**.

"USER TYPES":

(A) **"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 City representative to sample and/or measure discharges.

(B) **"Industrial User"** shall mean any non-governmental user of publicly owned treatment works identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions:

- (1) Division A – Agriculture, Forestry and Fishing
- (2) Division B – Mining
- (3) Division D - Manufacturing
- (4) Division E – Transportation, Communications, Electric, Gas and Sanitary Services
- (5) Division I - Services

(C) **"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.

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

"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.

"WATERCOURSE AND CONNECTIONS":

(A) **"Watercourse"** shall mean a channel in which a flow of water occurs, either continuously or intermittently.

(B) **"Natural Outlet"** shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

"WASTEWATER AND ITS CHARACTERISTICS":

(A) **"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 degrees centigrade (20°C)**, expressed in milligrams per liter.

(B) **"Effluent Criteria"** are defined in any applicable "NPDES Permit".

(C) **"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.

(D) **"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.

(E) **"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 or from the development, recovery or processing of any natural resource as distinct from sanitary sewage.

(F) **"Major Contributing Industry"** shall mean an industrial user the publicly owned treatment works that:

- (1) Has a flow of 50,000 gallons or more per average work day; or
- (2) Has a flow greater than **ten percent (10%)** of the flow carried by the municipal system receiving the waste; or
- (3) Has in its waste, a toxic pollutant in toxic amounts as defined in standards issued under Section 307(a) of the Federal Act; or
- (4) 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.

(G) **"Milligrams per Liter"** (mg/l) shall mean a unit of the concentration of water or wastewater constituent. It is 0.001 gram of the constituent in 1,000 milliliter of water.

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

(I) **"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 0.17 pounds of BOD and 0.21 pounds of suspended solids.

(J) **"ppm"** shall mean parts per million by weight.

(K) **"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 inch (1/2") (1.27 centimeters)** in any dimension.

(L) **"Sewage"** is used interchangeably with "wastewater".

(M) **"Slug"** shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than **fifteen (15) minutes more than five (5) times** the average **twenty-four (24) hour** concentration or flows during normal operation.

(N) **"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.

(O) **"Suspended Solids"** (SS) 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".

(P) **"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.

(Q) **"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 stormwater that may be present.

(R) **"Water Quality Standards"** are defined in the Illinois Administrative Code, Title 35; Environmental Protection, Subtitle C: Water Pollution Chapter I: Pollution Control Board and any amendments thereto.

(S) **"Wastewater"** shall mean the spent water of a community. It may be a combination of the liquid water – carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and stormwater that may be present.

DIVISION II

USE OF PUBLIC SEWERS REQUIRED

38-5-2 **DEPOSIT OF WASTES PROHIBITED.** 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 City or in any area under the jurisdiction of the City, any human or animal excrement, garbage or other objectionable waste.

38-5-3 **SEWAGE IN NATURAL OUTLET.** It shall be unlawful to discharge to any natural outlet within the City, or in area under the jurisdiction of the City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Code.

38-5-4 **PRIVATE SYSTEM, UNLAWFUL.** Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

38-5-5 **CONNECTION TO SYSTEM REQUIRED.** The owner of all the houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the City and abutting on any street, alley, right-of-way in which there is now located or may in the future be located any public sanitary (or combined) sewer of the City 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 Code, within **thirty (30) days** after date of official notice to do so, provided that said public sewer is within **three hundred (300) feet** of the nearest property line.

DIVISION III

PRIVATE SEWAGE DISPOSAL

38-5-6 **PRIVATE SEWAGE SYSTEM.** Where a public sanitary sewer is not available under the provisions of **Section 38-5-5**, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Chapter.

38-5-7 **PRIVATE SEWER SYSTEM APPROVAL.** Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the City. The application for such permit shall be made on a form furnished by the City, which the applicant shall supplement by any plans, specifications and other information as deemed necessary by the City. A permit and inspection fee of **Five Dollars (\$5.00)** shall be paid to the City at the time the application is filed. The fee is not refundable. This permit is required in addition to any other permits required of the system, i.e. the County permit.

38-5-8 **PRIVATE SEWAGE SYSTEM PERMIT.** A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the City when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within **three (3) working days** of the receipt of written notice by the Superintendent. Issuance of a permit by the City shall not relieve the prospective permittee from obtaining a permit from the County as necessary and conversely.

38-5-9 **PRIVATE SEWAGE SYSTEM DESIGN CRITERIA.** The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the State of Illinois Private Sewage Disposal Licensing Act and Code and with the State of Illinois Environmental Protection Agency. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than **ten thousand (10,000) square feet.** No septic tank or cesspool shall be permitted to discharge to any natural outlet unless approved by the State Department of Public Health and the Superintendent.

38-5-10 **UTILIZATION OF PUBLIC SEWER.** At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in **Section 38-5-5**, the building sewer shall be connected to the sewer within **sixty (60) days** and the private sewage disposal system shall be cleaned of sludge and waste material which shall be disposed of in a lawful sanitary and proper manner, and the private disposal system shall be filled with clean bank-run gravel or dirt.

38-5-11 **O & M OF PRIVATE SEWAGE SYSTEM.** The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, and at no expense to the City.

38-5-12 **ADDITIONAL REQUIREMENTS OF PRIVATE SEWAGE SYSTEM.** No statement contained in this Division shall be construed to interfere with any additional requirements that may be imposed by the County or State Health Department or other agencies having lawful jurisdiction.

DIVISION IV

BUILDING SEWERS AND CONNECTIONS

38-5-13 **DISTURBING SYSTEM UNLAWFUL.** No unauthorized person shall uncover, make any connections with, or opening into; use; alter; or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.

38-5-14 **COMPLIANCE WITH REGULATING AUTHORITIES.** 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.

38-5-15 **CLASSES OF PERMITS.**

(A) There shall be **two (2)** classes of building sewer permits as follows:

 (1) Residential and commercial service.

 (2) Service to establishments producing industrial wastes.

(B) In either case, the owner or his agent shall make applications on a special form furnished by the City.

(C) The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee of **Twenty-Five Dollars (\$25.00)** for a residential or commercial building sewer permit shall be paid to the City at the time the application is filed. The industry, as a condition of permit authorization, shall provide information describing its wastewater constituents, characteristics and type of activity. **(Ord. No. 06-06; 04-11-06)**

38-5-16 **COSTS AND EXPENSES.** All costs and expenses including to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

38-5-17 **SEPARATE SEWER: EXCEPTION.** 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.

38-5-18 **OLD BUILDING SEWERS.** Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent to meet all requirements of this Chapter.

38-5-19 **CONSTRUCTION METHODS.** 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 the building and plumbing code or other applicable rules and regulations of the City. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society of Testing Materials, Water Pollution Control Federation Manual of Practice No. 9, and **Standard Specifications for Water and Sewer Main Construction in Illinois** shall apply.

38-5-20 **ELEVATION.** Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

38-5-21 **PROHIBITED CONNECTIONS.** No person(s) shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to public sanitary sewer.

38-5-22 **BUILDING AND PLUMBING CODE APPLICABLE.** The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code, or other applicable rules and regulations of the City, or the procedures set forth in appropriate specifications of the American Society of Testing Materials, Water Pollution Control Federation Manual of Practice No. 9, and **Standard Specifications for Water and Sewer Main Construction in Illinois.** All such connections shall be made gas-tight and water-tight. Any deviation from the prescribed procedures and materials must be approved by the City before installation.

38-5-23 **CAPACITY OF SEWER.** 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.

38-5-24 **INSPECTION.** The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative after the roof structure is constructed.

38-5-25 **PROTECTION OF PROPERTY.** All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

DIVISION V

USE OF PUBLIC SEWERS

38-5-26 **DISCHARGE OF STORM WATER.** No person shall discharge, or cause to be discharged, any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

38-5-27 **STORM WATER.** Stormwater 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 Superintendent. Industrial cooling water or unpolluted process waters may be discharged on approval of the Superintendent, to a storm sewer, or natural outlet.

38-5-28 **REGULATIONS OF WASTES.** 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, solids, 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 corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

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

38-5-29 **HARMFUL EFFECTS OF CERTAIN MATERIALS.** 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 Superintendent that such wastes can harm either the sewers, sewage treatment process or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his

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

(A) Any liquid or vapor having a temperature higher than **One Hundred Fifty degrees Fahrenheit (150°F), (65°C).**

(B) Any waters or wastes containing toxic or poisonous materials; or oils, whether emulsified or not, in excess of **One Hundred (100) mg/l** or containing substances which may solidify or become viscous at temperatures between **Thirty-Two (32) and One Hundred Fifty degrees Fahrenheit (150°F), (0 and 65°C).**

(C) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of **three-fourths (3/4) horsepower (0.76 hp metric)** or greater shall be subject to the review and approval of the City.

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

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

(F) Any waters or wastes containing phenols or other waste odor-producing substances, in such concentration exceeding limits which may be established by the Superintendent as necessary after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.

(G) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.

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

(I) Materials which exert or cause:

- (1) unusual concentrations or inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate);
- (2) excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions);

- (3) unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works;
- (4) unusual volume of flow or concentrations of wastes constituting "slugs" as defined herein.

(J) Waters or wastes containing substances which are not amendable to treatment or reduction by the sewage treatment processes employed, or are amendable 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.

38-5-30 HARMFUL WASTES; APPROVAL.

(A) 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 38-5-29** of this Division, and/or which are in violation of the standards for pretreatment provided in Chapter 1, "EPA Rules and Regulations", Subchapter D, Water Programs Part 128 – Pretreatment Standards, Federal Register Volume 38, No. 215 Thursday, November 8, 1973 and any amendments thereto, and which in the judgment of the City 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 Superintendent may:

- (1) reject the wastes;
- (2) require pretreatment to an acceptable condition for discharge; and/or;
- (3) require control over the quantities and rates for discharge; and/or;
- (4) require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges, under the provisions of **Section 38-5-52**.

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

(C) The owner of the pretreatment or equalization facilities shall obtain construction and operating permits from the Illinois Environmental Protection Agency prior to the issuance of final approval by the Superintendent.

(D) Where multiple process or discharges are present or contemplated at an industry, the City shall have the authority to require the owner or person to furnish and install more than one control manhole with appurtenances and/or require that all wastewater be discharged through a single control manhole or structure with appurtenances described herein.

38-5-31 GREASE AND OIL INTERCEPTORS. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the City, and shall be located as to be readily and easily accessible for cleaning and inspection.

38-5-32 FLOW-EQUALIZING FACILITIES. Where preliminary treatment or flow-equalizing facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

38-5-33 INDUSTRIAL WASTES CONTROL MANHOLE. Each industry shall be required to install a control manhole and, when required by the Superintendent, 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 accessible and safety located, and shall be constructed in accordance with plans approved by the Superintendent. 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.

38-5-34 INDUSTRIAL WASTE TESTING.

(A) 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 Code and any special conditions for discharge established by the City or regulatory agencies having jurisdiction over the discharge.

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

38-5-35 **MEASUREMENTS AND TESTS.** All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Code shall be determined in accordance with the latest edition of **IEPA Division of Laboratories Manual of Laboratory Methods**, and shall be determined at the control manhole provided, or upon suitable samples taken at the control manhole. 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 is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from **twenty-four (24) hour** composites of all outfalls, whereas pH's are determined from periodic grab samples.)

38-5-36 **SPECIAL ARRANGEMENTS.** No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefore, in accordance with the Chapter, hereof, by the industrial concern provided such payments are in accordance with Federal and State guidelines for User Charge System.

DIVISION VI

INSPECTIONS

38-5-37 **DAMAGE.** No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, or tamper with any structure, appurtenance, or equipment which is part of the sewage works.

38-5-38 **INSPECTION AND TESTING.**
(A) The Superintendent and other duly authorized employees of the City, the Illinois Environmental Protection Agency, and the United States Environmental Agency, bearing proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this Code.

(B) The Superintendent 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.

38-5-39 **LIABILITY OF CITY.** While performing the necessary work on private properties referred to in **Section 38-5-38** above, the Superintendent or duly authorized employees of the City, the Illinois Environmental Protection Agency, and the United States 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 City employees and the City shall indemnify the company 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 conditions as required in **Section 38-5-33** or to exercise reasonable care for the safety of the Superintendent or employees of the City.

38-5-40 **PRIVATE PROPERTY INSPECTIONS.** The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within the easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

DIVISION VII – USE OF GROUNDWATER AS POTABLE WATER SUPPLY

38-5-41 **USE OF GROUNDWATER AS A POTABLE WATER SUPPLY PROHIBITED.** Except for such uses or methods in existence before the effective date of this Division, the use or attempt to use groundwater from all depths as a potable water supply by installation or drilling of wells or by any other method is hereby prohibited. This limitation applies to the City or any other person’s construction or attempt to construct a well.

38-5-42 **PENALTIES.** Any person violating the provisions of this Division shall be subject to the penalty provisions of **Section 1-1-19** of the Revised Code of Ordinances of the City.

38-5-43 **DEFINITIONS.**
(A) “Person” is an individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns.
(B) “Potable water” is any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing foods.

(Ord. No. 16-26; 11-09-16)

DIVISION VIII - PENALTIES

38-5-44 **PENALTY.** Any person found to be violating any provision of this **Chapter 38, Article V, Sections 1 through 41 inclusive**, shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. The City may revoke any permit for sewage disposal as a result of any violation of any provision of this ordinance, or violation of regulations of other agencies having lawful jurisdiction. Upon revocation of any permit to discharge, the person violating the ordinance or regulation shall cease and desist discharge of wastewater or industrial waste to the public sewer system and treatment works, and shall not continue the discharge in any manner which would violate State, Federal or local pollution control laws and regulations.

38-5-45 **FINE.** Any person who shall continue any violation beyond the time limit provided for in **Section 38-5-41** 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.

38-5-46 **EXPENSE.** Any person violating any of the provisions of this Article shall become liable to the City for any expense, loss or damage occasioned the City by reason of such violation.

ARTICLE VI – EXTENSIONS

38-6-1 APPLICATION. Any person, firm or corporation within the service areas of the Water and Sewer System and desiring the extension of the mains to the premises shall make application therefore to the City Clerk and in making the application, shall present to the City Clerk, a plat showing the area to be served by the main extension. **(See Chapter 34; Subdivision for Water and Sewer Extensions)**

38-6-2 PLAT OF PROPOSED EXTENSION. The Plan shall be submitted to the City Engineer and the City Council for determination of the size and lengths of sewer and water main installations, location of fire hydrants, water service valves and other appurtenances to be installed based upon the following requirements:

(A) Water mains shall be sized so that fire protection service may be rendered to all lots or premises to be served by the main any possible extension thereof according to the following guidelines:

- (1) **six (6) inch** lines shall be installed in existing residential areas;
- (2) **eight (8) inch** lines shall be installed in newly developed areas, other than industrial; and, **(Ord. No. 86-19; 09-23-86)**
- (3) **ten (10) inch** lines shall be installed in industrial areas.

(B) Fire hydrants shall be so located that no premises will be more than **four hundred (400) feet** from a fire hydrant.

(C) In determining the length of pipe lines to be installed to serve a main extension, the main shall be extended to fully cover the front of the property and if the last lot to be served is a corner lot or a lot immediately adjacent to a corner lot, the terminal point of the extension made hereunder shall be located so that the main laid hereunder ties with the existing main located in the intersecting street; and further provided that if there is no main located on the intersecting street, or no intersecting street, the terminal point of the extension made hereunder shall be located at the nearest street line of the intersecting street, or extend to the furthest end of the development.

(D) The City may require the proposed main to be connected to its distribution system at a point which in its judgment is necessary to adequately furnish water to premises to be served and noting herein shall require the City to allow connection to the closest point of existing service, if such service is inadequate for the extension proposed. Main trunk lines may be installed by the City at no cost to the developer, however, lots or properties fronting directly thereon which may be served by a service connection to the main will be charged the average amount per connection as found in subdivisions currently being constructed.

(E) The City reserves the right to further extend its water mains from and beyond the terminus of each water main extension made under this Chapter. The applicant, or the applicant's agent, paying for an extension shall not be entitled to any refund for the attaching of customers to any further extension or branch mains so involved.

(F) Extensions made under this rule shall be and remain the property of the City.

(G) Before the City mains will be laid hereunder in any new subdivision, it is understood and agreed that the road surface will be brought to the extended subgrade and the applicant, developer of such new subdivision shall furnish the City with a right-of-way agreement in suitable form to the City, unless the streets of the new subdivision have been dedicated to public use.

(H) Installing pipe lines in paved or unpaved streets. When a pipe line is to be installed in a paved or unpaved street, a service line of **three-fourths (3/4) inch** Type "K" Copper is to be provided to the center line of each lot for a one-family dwelling. The service line is to terminate at the property line in a meter box.

When a business or an apartment house is to be serviced, contact the Water Department to obtain the proper size for the service.

38-6-3 REPORTS AS TO CONNECTIONS TO BE MADE BY MASTER PLUMBERS. All master plumbers are required to report to the City Council any and all connections or extensions to lines now in existence or to any lines which may be installed in the future. Such report shall be in writing and shall be filed with the Water Department within **three (3) days** after such extension or connections have been made. **(1965 Code; Sec. 22-29)**

38-6-4 SEWERS.

(A) All sewer plans and installations shall conform to the standards and specifications set forth in "The Standard Specifications for Water and Sewer Main Construction in Illinois", as established by the Illinois Society of Professional Engineers.

(B) Sanitary sewer lines shall be installed to serve all properties in the subdivision, except subdivision where individual sewage disposal systems are permitted.

(C) Where sanitary sewer mains of larger capacity than necessary to serve the subdivision as delineated in the preliminary plan are required to serve the future growth in the vicinity of the subdivision, as determined by the City Council, the City shall then reimburse the subdivider for the difference in cost of the smaller size pipe and the larger size pipe; said larger size to be determined by the City Council.

(D) A storm sewer system shall be constructed throughout the entire subdivision to carry off water from all inlets and catch basins, and shall be connected to an adequate outfall. Such sewers shall provide for an extension to land lying within the upland drainage area, whether such land is within the subdivision or not. Storm sewers shall be designed by the rational method; and copies of the design computations shall be submitted with the plans. Inlets shall be provided so that surface water is not carried across or around any intersection, nor for a distance of

more than **six hundred (600) feet** in the gutter. The storm water drainage system shall be separate and independent of the sanitary sewer system. Surface water drainage patterns shall be shown for each and every individual lot and block.

(E) Cast iron must be used from property line (1 foot inside sidewalk) to main when tapping sewer.

(F) No manhole may be tapped unless sewer exceeds depth of **twelve (12) feet**. Must not exceed **four (4) taps** on each manhole.

38-6-5 **WATER SUPPLY.**

(A) All water main plans and installations, including all appurtenances thereto shall conform to the Standard Specifications for Water and Sewer Main Construction in Illinois as established by the Illinois Society of Professional Engineers.

(B) Water distribution facilities, including all pipe, fittings, hydrants, valves, vaults, etc., shall be installed to serve all properties within the subdivision.

(C) Where water mains of larger capacity than necessary to serve the subdivision as delineated in the preliminary plan are required to serve the future growth in the vicinity of the subdivision, as determined by the City Council, the City shall then reimburse the subdivider for the difference in cost of the smaller size and the larger size pipe; said larger size to be determined by the City Council.

38-6-6 **ENGINEER TO PREPARE PLANS.** After approval of design, plans and specifications shall be prepared in accordance with the foregoing and with specifications for water main extensions from time to time adopted by the City Council. The plans and specifications may be prepared by the City Engineer or a Civil Engineer acceptable to the City Council.

38-6-7 **SEALED BIDS – LARGER PIPE REQUIRED.** Sealed bids shall be received by the City Council after advertisement not less than **ten (10) days** prior to the date of the receiving of the bids and after receipt thereof, the applicant shall deposit with the City Clerk the entire cost, based upon the lowest responsible bid; the cost to include the entire cost of the proposed extension, including pipes, valves, fittings, fire hydrants, all other material and all costs of engineering and inspection. Excepting that if the City should require the installation of a size of pipe larger than is found by the City Engineering Standard to be necessary for the subdivision, then the deposit shall be based upon the cost of installing the size determined to be necessary for the subdivision, with the City standing the additional cost for a larger line.

38-6-8 **CONTRACT.** Upon deposit of the moneys by the applicant as hereinbefore required, a contract shall be entered into between the applicant and the City as follows:

WATER OR SEWER LINE EXTENSION CONTRACT

AGREEMENT made and entered into this ___ day of _____, by and between the Water and Sewer Commission of the City of Murphysboro, Illinois, hereinafter called the Water and Sewer Department and _____ hereinafter called the Depositor.

First: That the Water and Sewer Department contracts and agrees to have installed by contract in accordance with its rules water mains as shown on the plat thereof, and the specifications are attached hereto and made a part hereof.

Second: Bids having been taken and the lowest responsible bid having been in the amount of _____, the Depositor agrees to deposit and does deposit herewith the cost thereof.

- (A) The lowest responsible bid: _____
- (B) Engineering and inspection charge: _____
- (C) Total: _____

Third: Final costs to be adjusted up or down according to completed job cost.

Fourth: The ownership of the water mains laid herein shall be at all times in the Water and Sewer Department, its successors and assigns.

Fifth: This Agreement shall be valid and binding on the Water and Sewer Department only when signed by the Mayor and Clerk of the City of Murphysboro, Illinois.

Sixth: This Agreement shall be binding upon the heirs, executors, administrators, successors or assigns of the respective parties.

EXECUTED in duplicate by the parties hereto on the date first above written.

WATER AND SEWER DEPARTMENT
CITY OF MURPHYSBORO, ILLINOIS

ATTEST:

By: _____
MAYOR

CITY CLERK

DEPOSITOR

WITNESSES

ARTICLE VII – GREASE TRAPS

38-7-1 **PURPOSE.** The purpose of this Article is to protect the public sewerage system of the City.

38-7-2 **WHERE PROTECTION IS REQUIRED.** Plumbing systems for institutions or commercial establishments in which grease, fats, culinary oils or similar waste products from kitchens or food processing areas are wastes, or in which grease, fats or culinary oils are wasted in connection with utensil, vat, dish or floor cleaning processes, shall include grease interceptors. All waste lines and drains carrying grease, fats or culinary oil in the above type establishments shall be directed to one or more interceptors.

38-7-3 **TYPE OF PROTECTION REQUIRED.** All interceptors shall be of a type and capacity approved by the City and shall be located as to be readily and easily accessible for cleaning and inspection. All required grease interceptors shall comply with the following:

(A) **Material and Covers.** Grease interceptors shall be constructed of durable, corrosion-resistant materials and shall have water-tight covers securely fastened in place.

(B) **Minimum Size.** A grease interceptor installed on the same floor as the fixture shall be one-half the liquid holding capacity of the fixture. A grease interceptor location on a floor below the fixture shall have **sixty percent (60%)** of the liquid holding capacity of the fixture. To determine the liquid holding capacity in gallons of a plumbing fixture, multiply the length by the width by the height in inches and divide by 231. Where **two (2)** or more sinks or receptacles are connected to an interceptor the liquid holding capacity shall be based on the combined volume of the fixtures served. Consultation with the Water Department Foreman prior to any installment is recommended.

(C) No grease interceptor shall receive the discharge from a food waste disposal or a commercial dishwashing machine.

(D) The flow rate of the interceptor shall be sufficient to handle the maximum demand of the connected system.

(E) All interceptors shall be installed in an accessible location to permit the convenient removal of the lid and internal contents.

(F) All interceptors shall be designed and installed with proper venting so that they do not become air bound.

38-7-4 **TYPES PROHIBITED.** Water-cooled grease interceptors are prohibited.

38-7-5 **REGISTRATION.** Each building containing an interceptor must first obtain a registration certificate. Certificate of registration shall remain valid for the entire period in which the original person applying for the registration owns the building. At such point as a building changes ownership, a new registration certificate must be obtained.

38-7-6 **REGISTRATION FEE.** The fee for such certificate shall be **Fifty Dollars (\$50.00)**.

38-7-7 **ROUTINE MAINTENANCE AND INSPECTIONS.** Each grease interceptor shall be cleaned and maintained by a licensed hauler at a minimum of every **three (3) months**. Maintenance forms from the licensed hauler must then be forwarded to the Public Works Department of the City. All grease interceptors **five hundred (500) gallons** or larger shall be inspected annually by a licensed plumber and the results shall be forwarded to the Public Works Department. The Foreman of the Water and Sewer Maintenance Division and other duly authorized employees of the City, the Jackson County Health Department, and the Illinois Environmental Protection Agency, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection or observation in accordance with the provisions of this Code. **(Ord. No. 16-8; 05-10-16)**

38-7-8 **VIOLATION AND PENALTIES.** Service of notice of violation and revocation of certificate of registration shall be the same as provided under **Section 38-5-41**. Any person who shall be found guilty of continuing any violation beyond the time limit provided for in **Section 38-5-41** shall on conviction thereof be fined in an 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.

(Ord. No. 05-02; 03-08-05)