

ORDINANCE 2012-04

AN ORDINANCE AMENDING ORDINANCE 2004-04
REGARDING SEWER USE AND SERVICE

WHEREAS, Ordinance 2004-04 passed 4-19-2004 amended Ordinance # 50 and extensively revised District regulations regarding sewer use and service; and

WHEREAS, the Board of Trustees deem that further amendment of Ordinance 2004-04 is appropriate and in the best interests of the District and the public it serves;

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the Highland Hills Sanitary District, that the Ordinance 2004-04 is amended to read as follows:

Section 1. DEFINITIONS

1. "ADMINISTRATOR" means the Administrator of the U.S. Environmental Protection Agency;
2. "BASIC USER CHARGE" shall mean the basic assessment levied "on all users of the public sewer system;
3. "BIMONTHLY" shall mean every two month period.
4. "BOD" (denot ng 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 of 20°C, expressed in milligrams per liter.
5. "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.
6. "BUILDING SEWER OR SERVICE" shall mean the sewer extension from a building drain to the point of connection with public sewers.
7. "CAPITAL IMPROVEMENT CHARGE" shall mean a charge levied on users to improve, extend or reconstruct the sewage treatment works.
8. "COMBINED SEWER" shall mean a sewer which is designed and intended to receive wastewater, storm, surface and groundwater drainage.
9. "COMMERCIAL USER" shall include transit lodging, congregate care lodging, retail and wholesale establishments or places engaged in selling merchandise, or rendering services, located in the District.
10. "DIRECTOR" means the Director of the Illinois Environmental Protection Agency.

11. "DISTRICT" shall mean the Highland Hills Sanitary District.
12. "FEDERAL ACT" means the Federal Clean Water Act (33 U.S.C. 466 et seq.) as amended, (Pub. L. 95-217).
13. "FEDERAL GRANT" shall mean the U.S. Government participation in the financing of the construction of treatment works as provided for by Title II-Grants for Construction of Treatment Works of the Act and implementing regulations.
14. "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.
15. "GARBAGE" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of food.
16. "INDUSTRIAL USERS" shall include establishments located in the District engaged in manufacturing activities including, but not limited to those involving the mechanical or chemical transformation of materials into products.
17. "INDUSTRIAL WASTE" shall mean any solid, liquid or gaseous substance discharge, 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.
18. "INSPECTION MANHOLE" shall be a 4' diameter manhole constructed on the sewer service line and located approximately 5 feet from the right of way line on private property, whose purpose is to allow inspection and sampling of discharge effluent from commercial or industrial users.
19. "INSPECTOR" shall mean the person appointed by the President of Board of Trustees of the District.
20. "INSTITUTIONAL/GOVERNMENTAL USER" shall include schools, churches, penal institutions, and users associated with federal, state and local governments.
21. "LOCAL CAPITAL COST CHARGE" shall mean charges for costs other than the Operation, Maintenance and Replacement costs, i.e., debt service and capital improvement costs.
22. "MAJOR CONTRIBUTING INDUSTRY" shall mean an industrial user of the publicly owned treatment works that: (a) has a flow of 50,000 gallons or more per average work day; or (b) has a flow greater than ten percent of the flow carried by the municipal system receiving the waste; or (c) has in its waste a toxic pollutant in toxic amounts as defined in standards issued under section 307(a) of the Federal Act; or (d) is found by the permit issuing authority, in connection with the issuance of the NPDES permit to have 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 or effluent from that treatment works.

23. "MILLIGRAMS PER LITER" shall mean a unit of the concentration of water or wastewater constituent. It is 0.001g of the constituent in 1,000 ml of water. It has replaced the unit formerly used commonly, parts per million, to which it is approximately equivalent, in reporting the results of water and wastewater analysis.
24. "NATURAL OUTLET" shall mean any outlet into a watercourse, pond, ditch, lake or other body or surface or groundwater.
25. "NORMAL DOMESTIC SEWAGE" shall mean wastewater with constituents within the limits of BOD5 concentration of 200 mg/l and a suspended solids concentration of 250 mg/l.
26. "NPDES PERMIT" means any permit or equivalent document or other requirements issued by the Administrator, or, where appropriate by the Director, after enactment of the Federal Clean Water Act to regulate the discharge of pollutants pursuant to section 402 of the Federal Act.
27. "PERSON" shall mean any and all persons, natural or artificial including any individual, firm, company, municipal, or private corporation, association, society, institution, enterprise, governmental agency, or other entity.
28. "pH" shall mean the logarithm (base 10) of the reciprocal of the Hydrogen-ion concentration expressed by one of the procedures outlined in the IEPA Division of Laboratory Methods.
29. "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 0.20 pounds of suspended solids.
30. "PPM" shall mean parts per million by weight.
31. "PRETREATMENT" shall mean the treatment of wastewaters from sources before introduction into the wastewater treatment works.
32. "PRIVATE SEWAGE DISPOSAL SYSTEM" shall mean any privy, privy vault, septic tank, septic field, cesspool or other facility intended or used for the treatment or disposal of sewage which is not connected to a public sanitary sewer.
33. "PROPERLY SHREDDED GARBAGE" shall mean the wastes from the preparation, cooking, and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimensions.
34. "POINT OF CONNECTION TO PUBLIC SEWER" shall mean the "Y", tee, or tapped connection including the hub or fitting installed, to accept a private sewer connection to the public sewer.
35. "PRIVATE SEWER" shall mean the building drain and building service, or other sewer system extension, solely benefitting a private property owner.

36. "PUBLIC SEWER" shall mean the shared system of sanitary sewers and appurtenant structures serving multiple property owners, under the ownership and maintenance jurisdiction of the Highland Hills Sanitary District.
37. "REPLACEMENT" shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance of which such works were designed and constructed. The term "operation and maintenance" includes replacement.
38. "RESIDENTIAL USER" shall mean all dwelling units such as homes, mobile homes, apartments, permanent multifamily dwellings located in the District.
39. "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 polluted industrial wastes are not intentionally admitted.
40. "SEWAGE" shall mean "wastewater" as herein defined.
41. "SEWER" shall mean a pipe or conduit for conveying sewage or other waste liquids, including storm, surface and groundwater drainage.
42. "SEWERAGE" shall mean the system of sewers and appurtenances for the collection, transportation and pumping of sewage.
43. "SEWERAGE FUND" is the principal accounting designation for all revenues received in the operation of the sewerage system.
44. "SLUG" shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in the 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 operations.
45. "STAGE ACT" means the Illinois Anti-Pollution bond Act of 1970.
46. "STATE GRANT" shall mean the state of Illinois participation in the financing of the construction of treatment works as provided for by the Illinois Anti-Pollution Bond Act and for making such grants as filed with the Secretary of State of the state of Illinois.
47. "STORM SEWER" shall mean a sewer that carries storm, surface and groundwater drainage but excludes sewage and industrial wastes other than unpolluted cooling water.
48. "STORMWATER RUNOFF" shall mean that portion of the precipitation that is drained into the sewers.
49. "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 the concentration values established in Section 3 of this Ordinance

50. "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 the IEPA Division of Laboratories Manual of Laboratory Methods.

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

52. "USEFUL LIFE" shall mean the estimated period during which the collection system and/or treatment works will be operated.

53. "USER CHARGE" shall mean a charge levied on users of treatment works for the cost of operation, maintenance and replacement.

54. "USER CLASS" shall mean the type of user "residential, institutional/governmental, commercial" or "industrial" as defined herein.

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

56. "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.

57. "WASTEWATER SERVICE CHARGE" shall be the charge per quarter or month levied on all users of Wastewater Facilities set forth in Ordinance 2004 – 01, as enacted or hereafter amended.

58. "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".

59. "WATERCOURSE" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

60. "WATER QUALITY STANDARDS" are as defined in the Water Pollution Regulations of Illinois.

Section 2. BUILDING SEWERS AND CONNECTIONS

A. 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 District. Application for such permits shall be accompanied by a statement as to the purpose of such connection, the premises to be served and the specification of such pipe to be connected and the drain from house to sewer pipe. No such permit shall be issued unless it is found that the proposed connection complies with the District's ordinances.

B. All connections to a service line shall remain uncovered until an inspection has been made by an authorized agent of the District. Request for such inspection must be made at least 48 hours prior to the date when the work will be ready for inspection.

C. All disposals into the sewer system are unlawful except those discharged in compliance with Federal Standards promulgated pursuant to Federal law and more stringent state and local standards.

D. There shall be two (2) classes of building sewer permits: (1) single-family residential service, and (2) for service to multiple-family residential, commercial buildings, and establishments producing industrial wastes. In either case, the Owner or his agent shall make application on a form furnished by the District. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the District. A permit fee of \$250.00 shall be paid to the District at the time the application is filed which includes one inspection. The charge for additional inspections is \$100.00 per inspection.

The applicant, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics, and type of activity.

E. A building sewer permit shall 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.

All costs and expenses incident to the installation and connection of the building sewer shall be borne by the Owner. The Owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

The Owner of any premises in the District served by a connection with the District sewer system shall install, maintain, repair and when necessary replace the building sewer service line from the connection at the public sewer to the building it serves, at the Owner's expense. The provisions of the ordinances relating to excavations in streets shall be complied with in making excavations in streets or other public places for sewer connections.

F. 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 of the building and the whole can be considered as one building sewer.

G. Old building sewers may be used in connection with new buildings only when they are found, on examination and testing by the Inspector, to meet all requirements of this Ordinance. For all commercial and industrial uses, an inspection manhole is required.

H. 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 ordinances of the District. 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, the Standard Specifications for Water and Sewer Main Construction in Illinois and the Illinois Plumbing Code shall apply.

I. Overhead plumbing is required on all sanitary sewer service connections. Floor drains shall be connected to sump pumps and discharged to the sanitary sewers.

The requirements of overhead plumbing may be waived only if it is not physically possible to make such installation and the Owner(s) of the property upon which the building is being constructed enter(s) into a written agreement with the District wherein the Owner, and for his, her or their successor and assigns release(s) the District from any and all responsibility for any sewage back-up into the Owner's property as a result of not having overhead sewers. Said Agreement shall be recorded at the Office of the Recorder of Deeds before the Occupancy Permit shall be issued.

J. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer, and it shall be unlawful to construct or permit the construction of any storm water drain which discharges water onto any sidewalk, pathway, public street or alley.

K. The connection of the building sewer into the public sewer shall conform to the requirements of the District's ordinances code, 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 and the Illinois Plumbing Code. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved in writing by the District before installation.

L. The applicant for the building sewer permit shall notify the Inspector when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Inspector.

M. 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 District.

N. For extensions of the sanitary sewer system, the Owner shall pay for and construct such sewers at his/her cost. Upon completion and acceptance of work by the District, the Owner shall execute a Bill of Sale at a cost of \$10.00, conveying the sewers to the District.

O. The most recent procedures, as adopted by the Trustees of the Hinsdale Sanitary District, are hereby adopted as an integral part of the procedures of the administration for sanitary sewer permits. In addition, the provisions of the latest revision of the "Technical Policy Statement," as adopted by the Illinois Environmental Protection Agency, Division of Public Water Supplies, shall also apply to all sanitary sewer construction within 50 feet of a private well and to all other sources of pollution as listed in Table 1 of the "Technical Policy Statement". However, in no case will the use of a poly vinyl chloride (PVC) pipe of less strength and pressure rating than SDR 26 (ASTM D-2241 with ASTM D-3139 joints) be allowed for use within public rights of way.

Section 3. USE OF PUBLIC SEWERS

A. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property or in any area under its jurisdiction, any human or animal excrement, garbage or other objectionable waste.

B. It shall be unlawful to discharge to any natural outlet any sewage or other polluted waters, except where suitable treatment has been provided in accordance with the provisions of this Ordinance.

C. No person shall discharge, or cause to be discharged, any storm water, surface water, groundwater roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

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

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

1. Gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
2. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
3. 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.
4. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

F. 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 District 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 District 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:

1. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150°F), (0 and 65°C).
2. Any waters or wastes containing toxic or poisonous materials; or oils, whether emulsified or not, in excess of one hundred (100) mg/1 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).
3. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the District.
4. Any waters or wastes containing strong acid, iron pickling wastes, or concentrated plated solution whether neutralized or not.
5. Any waters or wastes containing iron, chromium, copper, zinc, or similar objectionable or toxic substances; or wastes exerting and 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 District for such materials.
6. Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the District 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.
7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable state or federal regulations.
8. Any wastes or waters having a pH in excess of 9.5.
9. Any mercury or any of its compounds in excess of 0.0005 mg/1 as Hg at any time except as permitted by the District in compliance with applicable state and federal regulations.
10. Any cyanide in excess of 0.10 mg/1 at any time except as permitted by the District in compliance with applicable HINSDALE SANITARY DISTRICT, state and Federal regulations.
11. Materials which exert or cause:
 - a. unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate);
 - b. excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions);

c. unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works;

d. unusual volume of flow or concentrations of wastes constituting "slugs" as defined herein.

12. 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.

G. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substance or possess the characteristics enumerated in the above section or which are in violation of the standards for pretreatment provided in 40 CFR 402, June 26, 1978, and any amendments thereto, and which in the judgment of the District 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 District may:

1. reject the wastes;
2. require pretreatment to an acceptable condition or discharge to the public sewers;
3. require control over the quantities and rates of discharge; or,
4. require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges.

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

H. Grease, oil, and sand interceptors shall be provided when, in the opinion of the District, they are necessary for the proper handling of liquid 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 District, and shall be located as to be readily and easily accessible for cleaning and inspection.

I. 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.

J. Each industrial and commercial user shall be required to install an inspection manhole and, when required by the District, 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 inspection and/or control manholes, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the District. 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.

K. 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 the ordinance and any special conditions for discharge established by the District or regulatory agencies having jurisdiction over the discharge.

The number, type, and frequency of laboratory analyses to be performed by the Owner shall be as stipulated by the District, 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 District at such times and in such a manner as prescribed by the District. The Owner shall bear the expense of all measurements, analyses, and reporting required by the District. At such times as deemed necessary, the District reserves the right to take measurements and samples for analysis by an outside laboratory service.

L. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of IEPA Division of Laboratories Manual of Laboratory Methods, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no inspection manhole exists, 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 sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls, whereas pHs is determined from periodic grab samples.

M. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the District and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the District for treatment, subject to payment therefore, in accordance with section 7-3C-7, hereof, by the industrial concern provided such payments are in accordance with HINSDALE SANITARY DISTRICT, federal and state guidelines for User Charge System.

Section 4. PROTECTION OF SEWAGE WORKS FROM DAMAGE

No person shall break, damage, destroy, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works without a permit.

Section 5. POWERS AND AUTHORITY OF INSPECTOR

A. The District and its duly authorized employees, bearing appropriate credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this Ordinance and applicable law.

B. While performing the necessary work on private properties referred to above, the duly authorized agents of the District, shall observe all safety rules applicable to the premises established by the

Owner and the Owner shall be held harmless for injury or death to the District employees and the District shall indemnify the Owner against liability claims and demands for personal injury or property damage asserted against the Owner 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.

Section 6. **WASTEWATER SERVICE CHARGES**

A. Service Charges

1. Service charges shall be as set forth in Ordinance 2012-03.
2. "User" is defined as any individual, person, firm, company, corporation, association, society, partnership, or group using the services of the District or who owns real estate within the jurisdiction of the District or otherwise comes within the jurisdiction of the District.

B. Said rates and charges for service shall be payable bi-monthly. The Owner of the premises, the occupant thereof and the user of the services shall be jointly and severally liable to pay for the service on such premises. The service is furnished to the premises by the DISTRICT upon the condition that the Owner of the premises, occupant and user of the services are jointly severally liable thereof to the DISTRICT. All bills for service shall be rendered as of the 30th day of the month succeeding the period for which the service is billed and shall be payable not later than the close of business on the 28th day following the date of the bill. If payment of the full amount of the bill is not made within said period, then a penalty of \$35.00 shall be added thereto.

C. In the event the charges for services are not paid within sixty days (60) after rendition of the bill for such bi-monthly service such charges shall be deemed and are hereby declared to be delinquent, and thereafter such delinquencies shall constitute liens upon the real estate for which such service is supplied, and the Clerk is hereby authorized and directed to file sworn statements showing such delinquencies in the office of the Recorder of Deeds of DuPage County, Illinois, and the filing of such statements in such office shall be deemed notice for the payment of such charges for such service.

D. If the rates and charges for each service are not paid within ninety days (90) after rendition of the bill for bi-monthly service, the District shall have the right to terminate any public water service furnished to the real estate for which sewer service is supplied, or to physically disconnect the sewer. Service shall not be reinstated until the gross amount of all past due bills are paid in full, together with payment of severance charge of \$250.00 and all costs to reconnect sewer shall be borne by the owner of the real estate.

E. The District reserves the right to require a cash deposit of \$100.00 from any new user or any who previously has been determined delinquent in the payment of the service charges specified herein. The cash deposit shall be an amount equal to three times the most current bi-monthly billing charge. Such deposit may be refunded upon request upon sale of the real estate.

F. The charges set forth in this Article are District charges and are in addition to any charges made by the Hinsdale Sanitary District or any other governmental agency.

G. Revenues: All revenues and monies derived from the operation of the sewerage system shall be deposited in the sewerage fund. All such revenues and monies shall be held by the District Treasurer separate and apart from his private funds and separate and apart from all other funds of the District and all of said sum, without any deductions whatever, shall be delivered to the District Treasurer not more than ten days after receipt of the same, or at such more frequent intervals as may from time to time be directed by the President and Board of Trustees.

Section 7. PENALTIES The penalty for violation of any provision of this Ordinance shall be and are established as follows:

A. Unless a separate fine or penalty is specifically provided for in any section of this Ordinance, then any person, firm or corporation who violates, neglects or refuses to comply with, or who resists or opposes the enforcement of any of the provisions of this chapter, shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense, and every such person or corporation shall be deemed guilty of a separate offense for every day on which such violation, neglect or refusal shall continue and any builder or contractor who shall construct any building in violation of any of the provisions of this chapter, and any architect designing, drawing plans for or having charge of such building or who shall permit it to be constructed, shall be liable to the penalties provided and imposed by this section.

B. In addition to the penalty provided by subsection (A), the District may file suit and proceed to demolish, repair, enclose, recover cost or sue for an injunction to cause compliance.

Ayes: Lauten-Most and Sarno, Jr.

Nays: - 0 -

PASSED and APPROVED this **12th** day of **June**, 2012.

PUBLISHED this ____ day of _____, 2012.

Al Sarno, Jr., Vice President
HIGHLAND HILLS SANITARY DISTRICT

ATTESTED and DEPOSITED in the Office
of the District Clerk this ____ day of
_____, 20__.

Patricia Lauten-Most, District Clerk
HIGHLAND HILLS SANITARY DISTRICT