

**CHAPTER 19
SEWER USE ORDINANCE**

DEFINITIONS

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APPENDIX NO. 1		SEWER PERMIT APPLICATIONS

An ordinance regulating: The use of public and private sewers and drains, private sewage disposal, the installation and connection of building sewers, the discharge waters and wastes into the public sewer system, and providing penalties for violations thereof; the levying of charges for wastewater services (user charges).

DEFINITIONS

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

Sec. 1 Federal Government

"Federal Act" means the Federal Clean Water Act (33 U.S.C. 466 et seq) as amended, (Pub. L. 95-217).

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

"Federal Grant" shall mean the U.S. government participation in the financing of the construction of treatment works as provided for by Title II-Grants for Construction of Treatment Works of the Act and implementing regulations.

Sec. 2 State Government

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

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

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

Sec. 3 Local Government

"Ordinance" means this ordinance.

"Village" means the Village of Downs.

"Approving Authority," means the Village of Downs.

Sec. 4 "Person" shall mean any and all persons, natural or artificial including any individual, firm, company, municipal, or private corporation, association, society, institution, enterprise, governmental agency or other entity.

Sec. 5 "NPDES Permit" means any permit or equivalent document or requirements issued by the Administrator, or, where appropriated by the Director, after enactment of the Federal Clean Water Act to regulate the discharge of pollutants pursuant to section 402 of the Federal Act.

Sec. 6 Clarification of word usage: "Shall" is mandatory; "may" is permissible.

Sec. 7 Wastewater and its characteristics:

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

"Sewage" is used interchangeably with "wastewater".

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

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

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

"ppm" shall mean parts per million by weight.

"Milligrams per Liter" shall mean a unit of the concentration of water or wastewater constituent. It is 0.001 g of the constituent in 1,000 ml of water. It has replaced the unit formerly used commonly, parts per million, to which it is approximately equivalent, in reporting the results of water and wastewater analysis.

"Suspended Solids" (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.

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

"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 Laboratories Manual of Laboratory Methods.

"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.

"Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all

particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

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

"Population Equivalent" is a term used to evaluate the impact of industrial or other waste on a treatment works or stream. One population equivalent is 100 gallons of sewage per day, containing 200 pounds of BOD and 250 pounds of suspended solids.

"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.

"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.

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

Sec. 8 Sewer types, and appurtenances:

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

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

"Sanitary Sewer" shall mean a sewer that conveys sewage or industrial wastes or a combination of both, and into which storm, surface, and ground waters or polluted industrial wastes are not intentionally admitted.

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

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

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

"Building Drain" shall mean that part of the lowest piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer or other approved point of discharge, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

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

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

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

Sec. 9 Treatment:

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

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

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

Sec 11 Watercourse and connections: "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

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

Sec. 12 User types:

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"User Class" shall mean the type of user "residential, institutional/governmental, □ commercial", or "industrial" as defined herein.

"Residential User" shall mean all dwelling units such as houses, mobile homes, □ apartments, and permanent multi-family dwellings.

"Commercial User" shall include transit lodging, retail and wholesale establishments or places engaged in selling merchandise, or rendering services.

"Institutional/Governmental User" shall include schools, churches, penal institutions, and users associated with Federal, State, and local governments.

"Industrial Users" shall include establishments engaged in manufacturing activities involving the mechanical or chemical transformation of materials of substance into products.

"Control Manhole" shall mean a structure located on a site from which industrial wastes are discharged. Where feasible, the manhole shall have an interior drop. The purpose of a "control manhole" is to provide access for the Village representative to sample and/or measure discharges.

Sec. 13 Types of charges:

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"Wastewater Service Charge" shall be the charge per month levied on all users of the Wastewater Facilities. The service charge shall be computed as outlined in Chapter 20, Article II and shall consist of the total or the Basic User Charge, the Local Capital Cost and a Surcharge, if applicable.

"Bloomington and Normal Water Reclamation District (BNWRD) User Fee Charge" shall mean a charge levied by BNWRD on users of treatment works for the cost of operation, maintenance and replacement and treatment charges.

"Operation, Maintenance & Replacement (O, M & R) Charge" shall mean the charge levied on all users of the public sewer system for the cost of operation, maintenance and replacement of the sewage collection system and pumping station.

"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.

"Capital Improvement Charge" shall mean a charge levied on users to improve, extend or reconstruct the sewage treatment works.

"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.

"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 Chapter 20, Article III.

"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 for which such works were designed and constructed. The term "operation and maintenance" includes replacement.

"Useful Life" shall mean the estimated period during which the collection system and/or treatment works will be operated.

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

Chapter 19 Sewer Use Ordinance
ARTICLE I
Use of Public Sewers Required

- Sec. 1 It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Village of Downs any area under the jurisdiction of said Village, any human or animal excrement, garbage or other objectionable waste.
- Sec. 2 It shall be unlawful to discharge to any natural outlet within the Village of Downs, or in any area under the jurisdiction of said Village, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.
- Sec. 3 According to the Department of Public Health, Title 77, Chapter I, Subchapter r, Part 905.20, new or renovated private sewage disposal systems shall not be approved where a sanitary sewer operated and maintained under permit of the Illinois Environmental Protection Agency is available for connection. A sanitary sewer is available for connection when it is within 200 feet of a residential property or a non-residential property with a sewage flow less than 1,500 gallons per day, or equal to 1,500 gallons per day unless a physical barrier or local ordinance exists which prevents connection to the sewer. If connection from the property to the sanitary sewer cannot be made with an individual line then a private sewage disposal system may be installed.
- Sec. 4 The owner of all the houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the Village and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located any public sanitary sewer of the Village, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within one hundred eighty (180) days after date of official notice to do so, unless:
1. said public sewer is not within 200 feet (61 meters) of the property line, or
 2. said house, buildings, or property utilizes a legal, functioning private sewage disposal system with an active permit at the time of the passing of this ordinance through the McLean County Health Department and does not utilize a sand filter system which discharges to the public sewer system.

Property owners claiming to comply with exceptions 1 and 2 above shall provide legal proof to the Village clerk that the private sewage disposal system is actively permitted through the McLean County Health Department within 60 days upon

official notice by the Village that the Village sanitary sewer system is available for connection. Upon failure to provide such proof to the Village within the required timeframe, connection to the sanitary sewer will be required within one hundred eighty (180) days after date of official notice that the sanitary sewer is available for connection.

Property owners not required to immediately connect to the system and have a sanitary sewer available for connection shall be required to connect to the public sewer within one hundred eighty (180) days if:

1. the property is sold or ownership is transferred, or
2. when private sewage disposal system improvements or repairs are performed requiring a McLean County Health Department permit.

Sec. 5 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.

ARTICLE II
Private Sewage Disposal

- Sec. 1 Where a public sanitary (or combined) sewer is not available under the provisions of Article I, the building sewer shall be connected to a private sewage disposal system complying with the provisions of Article II.
- Sec. 2 Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the McLean County Department of Health. The permit applicant shall supplement the permit application with any plans, specifications and other information as deemed necessary by the McLean County Health Department. Owner shall provide copies of the approved permit to the Village clerk prior to commencement of the construction.
- Sec. 3 At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Article I, a direct connection shall be made to the public sewer in compliance with this ordinance and the Bloomington and Normal Water Reclamation District and Village of Downs Wastewater Treatment Agreement. Sewer connections shall be made in such a manner that a private sewage disposal system is isolated from the line of waste flow and upon completion of construction, any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material in accordance with the rules and regulations of the McLean County Health Department.
- Sec. 4 The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, and at no expense or accountability to the Village.
- Sec. 5 No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the McLean County Health Department.

ARTICLE III
Building Sewers and Connections

- Sec.1 No unauthorized person shall uncover, make any connections with, or opening into; use; alter; or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Village.
- Sec. 2 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.
- Sec. 3 There shall be two (2) classes of building sewer permits: (a) for residential, wastewater service, and (b) to commercial, institutional/governmental or industrial wastewater service. In either case, the owner or his agent shall make application on a special form furnished by the Village (Appendix #1). Non-residential applications shall be subject to approval by the Bloomington Normal Water Reclamation District.

The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Village.

A permit and inspection fee for a residential, commercial, institutional/governmental or industrial building sewer permit shall be paid to the Village at the time the application is filed in the amount per scheduled rate fee established by the Village. The industry, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics, and type of activity.

A Bloomington Normal Water Reclamation District connection fee for a residential, commercial, institutional/governmental or industrial building sewer permit shall be paid to the Village in accordance with the Bloomington Normal Water Reclamation District and Village of Downs Wastewater Treatment Agreement at the time the application is filed in the amount per scheduled rate fee established by Bloomington Normal Water Reclamation District.

- Sec. 4 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.
- Sec. 5 All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of building the sewer.

- Sec. 6 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.
- Sec. 7 Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Village, to meet all requirements of this ordinance.
- Sec. 8 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 Village. In 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.
- Sec. 9 All services shall terminate at a depth of no less than four (4) feet or more than six (6) feet below the adjacent top of curb unless otherwise approved by Village. The lowest floor elevation served by gravity must be above the ground surface over the Village sewer at the point of connection. In areas where the ground line over the Village sewer is to be altered, the proposed final ground elevation shall be used. The maximum depth to the top of the building service shall be three (3) feet below finished grade at the point where it enters the building. In all buildings in which the building drain is too low to provide gravity flow to the Village sewer, all sewage carried by such drain shall be lifted by approved mechanical means and discharged into the building sewer. No water operated sewage ejector shall be used.
- Sec. 10 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 a public sanitary sewer. Violations will be addressed according to Article VII of this Ordinance.
- Sec. 11 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 Village, or the procedures set forth in appropriate specifications of the American Society of Testing Materials, Water Pollution Control Federation Manual of Practice No. 9, and Standard Specifications for Water and Sewer Main Construction in Illinois. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Village before installation.

Sec. 12 The applicant for the building sewer permit shall notify the Village when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Village or its representative within 48 hours of receipt of written notice by the applicant.

Sec. 13 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 Village.

ARTICLE IV
Use of Public Sewers

- Sec. 1 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. Violations will be addressed according to Article VII of this Ordinance.
- Sec. 2 Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Village. Industrial cooling water or unpolluted process waters may be discharged on approval of the Village, to a storm sewer, combined sewer, or natural outlet.
- Sec. 3 No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
- (a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
 - (b) Any water 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 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, cup, milk containers, etc., either whole or ground by garbage grinders.
 - (e) Any waters or wastes prohibited by the Bloomington and Normal Water Reclamation District as indicated in the General Waste Control Program Regulating The Use Of The Public Treatment Works And Public And Private Sewers And Drains In The Bloomington & Normal Water Reclamation District and its associated amendments ordinance.
- Sec. 4 No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the

Bloomington and Normal Water Reclamation 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 Bloomington and Normal Water Reclamation 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:

- (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), (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 Bloomington Normal Water Reclamation District.
- (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 Bloomington and Normal Water Reclamation District for such materials.
- (f) Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the Bloomington and Normal Water Reclamation 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.
- (g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Bloomington and Normal Water Reclamation District in compliance with applicable State or Federal regulations.

- (h) Any wastes or waters having a pH in excess of 9.5.
- (i) Any mercury or any of its compounds in excess of 0.0005 mg/l as Hg at any time except as permitted by the Bloomington and Normal Water Reclamation District in compliance with applicable State and Federal regulations.
- (j) Any cyanide in excess of 1.20 mg/l at any time except as permitted by the Bloomington and Normal Water Reclamation District in compliance with applicable State and Federal regulations.
- (k) Materials which exert or cause:
 - (1) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate);
 - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions);
 - (3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works;
 - (4) Unusual volume of flow or concentrations of water constituting “slugs” as defined herein.
- (l) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters.
- (m) Any waters or wastes prohibited by the Bloomington and Normal Water Reclamation District as indicated in the General Waste Control Program Regulating The Use Of The Public Treatment Works And Public And Private Sewers And Drains In The Bloomington & Normal Water Reclamation District and its associated amendments ordinance.

Sec. 5 If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 of this Article, and/or which are in violation of the standards for pretreatment provided in 40 CFR 403, June 26, 1978 and any amendments thereto, and which in the judgment of the Bloomington and Normal Water Reclamation 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 Bloomington and Normal Water Reclamation District may:

- (a) Reject the wastes;
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers;
- (c) Require control over the quantities and rates of discharge; and/or
- (d) Require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges, under the provisions of Section 11 of this article or the Bloomington and Normal Water Reclamation District and Village of Downs Wastewater Treatment Agreement. If the Bloomington and Normal Water Reclamation District 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 Bloomington and Normal Water Reclamation District, and subject to the requirements of all applicable codes, ordinances and laws.

Sec.6 Grease, oil, and sand interceptors shall be provided when, in the opinion of the Bloomington and Normal Water Reclamation District 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 Bloomington and Normal Water Reclamation District, and shall be located as to be readily and easily accessible for cleaning and inspection.

Sec. 7 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.

Sec. 8 Each industry shall be required to install a control manhole and, when required by the Bloomington and Normal Water Reclamation 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 manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Bloomington and Normal Water Reclamation 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.

Sec. 9 The owner of any property serviced by a building sewer carrying industrial wastes shall provide laboratory measurements, tests, and analyses of water and wastes to illustrate compliance with this ordinance and any special conditions for discharge established by the Bloomington and Normal Water Reclamation 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 Bloomington and Normal Water Reclamation 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 Bloomington and Normal Water Reclamation District at such times and in such manner as prescribed by the Bloomington and Normal Water Reclamation District. The owner shall bear the expense of all measurements, analyses, and reporting required by the Bloomington and Normal Water Reclamation District. At such times as deemed necessary the Bloomington and Normal Water Reclamation District reserves the right to take measurements and samples for analyses by an outside laboratory service.

Sec. 10 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 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 24-hour composites of all outfalls, whereas pHs are determined from periodic grab samples.

Sec. 11 No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the Bloomington and Normal Water Reclamation District and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Bloomington and Normal Water Reclamation District for treatment, subject to payment therefore, in accordance with Chapter 20, Article I, hereof, by the industrial concern provided such payments are in accordance with Federal and State guidelines for User Charge System.

ARTICLE V Protection of Sewage Works from Damage

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

ARTICLE VI
Powers and Authority of Inspectors

- Sec. 1 The Village and other duly authorized employees of the Bloomington and Normal Water Reclamation District, the Illinois Environmental Protection Agency, and the U.S. Environmental Protection Agency, bearing proper credentials and identification, shall be permitted to enter all properties for purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. The Village 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.
- Sec. 2 While performing the necessary work on private properties referred to in Article VI, Section 1 above, the Village or duly authorized employees of the Bloomington and Normal Water Reclamation District, the Illinois Environmental Protection Agency, and the U.S. Environmental Protection Agency shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the Village employees and the Village shall indemnify the company against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operating, except as such may be caused by negligence or failure of the company to maintain conditions as required in Article IV, Section 9.
- Sec. 3 The Village and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all private properties through which the Village holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE VII
Penalties

- Sec. 1 Any person found to be violating any provisions of this ordinance except Article V shall be served by the Village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. The Village may revoke any permit for sewage disposal as a result of any violation of any provision of this ordinance.
- Sec. 2 Any person who shall continue any violation beyond the time limit provided in Article VII, Section 1, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding \$10,000 dollars for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
- Sec. 3 Any person violating any of the provisions of this ordinance shall become liable to the Village by reasons of such violation.
- Sec. 4 Any person violating any of the provisions of this ordinance may be granted a variance only in the discretion of the Village. The nature of the variance and timeframe for compliance with the provisions of the ordinance shall be provided in writing by the Village.

ARTICLE VIII
Validity

- Sec. 1 All ordinances or parts of ordinances in conflict herewith are hereby repealed.
- Sec. 2 The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.
- Sec. 3 All ordinances or parts of ordinances herewith in conflict with Bloomington Normal Water Reclamation District ordinances shall be resolved by Village of Downs ordinances being subordinate to Bloomington Normal Water Reclamation District ordinances.

Approved 11/3/2011

APPENDIX #1

APPLICATIONS FOR SEWER PERMITS

- a) Residential Building Sewer Application
- b) Commercial, Institutional/Governmental and Industrial Sewer Connection Application
- c) Residential Private Sewage Disposal Application
- d) Non-Residential Private Sewage Disposal Application



RESIDENTIAL BUILDING SEWER APPLICATION

To the Village of Downs:

A. THE UNDERSIGNED, being the _____ property located
(Owner, Owner's Agent)
 At _____ DOES HEREBY REQUEST a
Number Street
 permit to install and connect a building to serve the _____
(Residence)
 at said location.

1. The following indicated fixtures will be connected to the proposed building sewer:

Number	Fixtures	Number	Fixtures
_____	Kitchen Sinks	_____	Water Closets
_____	Lavatories	_____	Bath Tubs
_____	Laundry Tubs	_____	Showers
_____	Urinals	_____	Garbage Grinders

Specify other fixtures _____

- 2.** The maximum number of persons who will use the above fixtures is _____.
- 3.** The name and address of the person or firm who will perform the proposed work is _____.
- 4.** Plans and specifications for the proposed building sewer are attached hereunto as Exhibit "A".

B. In consideration of the granting of this permit, THE UNDERSIGNED AGREES:

- 1.** To accept and abide by all provisions of the Village Code of the Village of Downs and of all of the pertinent ordinances or regulations that may be adopted in the future.
- 2.** To maintain the building sewer at no expense to the Village.
- 3.** To notify the Village when the building sewer is ready for inspection and connection to the public sewer, but before any portion of the work is covered.

DATE: _____ SIGNED: _____
(Applicant)

(Address of Applicant)

(Certification by Village Treasurer)

\$ _____ connection fee paid.

\$ _____ inspection fee paid.

Application approved and permit issued:

DATE: _____ SIGNED: _____
(Approving Authority)

**COMMERCIAL, INSTITUTIONAL/GOVERNMENTAL,
AND INDUSTRIAL SEWER CONNECTION APPLICATION**
To the Village of Downs:



A. THE UNDERSIGNED being the _____ of the
(Owner, Lessee, Tenant, etc.)

property located at _____

DOES HEREBY REQUEST a permit to _____ an industrial sewer
(Install, Use)
connection serving the _____ which company is
(Name of Company)
engaged in _____ at said location.

1. A plat of the property showing accurately all sewers and drains now existing is attached hereunto as **Exhibit "A"**.
2. Plans and specifications covering any work proposed to be performed under this permit is attached hereunto as **Exhibit "B"**.
3. A complete schedule of all process waters and industrial wastes produced or expected to be produced at said property, including a description of the character of each waste, the daily volume and maximum rates of discharge, and representative analyses, is attached hereunto as **Exhibit "C"**.
4. The name and address of the person or firm who will perform the work covered by this permit is:

B. In consideration of the granting of this permit THE UNDERSIGNED AGREES:

1. To furnish any additional information relating to the installation or use of the industrial sewer for which this permit is sought as may be adopted in the future.
2. To operate and maintain a control manhole and any waste pretreatment facilities, as may be required as a condition of the acceptance into the public sewer of the industrial wastes involved in an efficient manner at all times, and at no expense to the Village.
3. To cooperate at all times with the Village, and his representative in their inspecting, sampling, and study of the industrial wastes, and any facilities provided for pretreatment.
4. To notify the Village immediately in event of any accident, negligence, or other occurrence that occasions discharge to the public sewers of any wastes or process waters not covered by this permit.

DATE: _____ Signed: _____
(Applicant)

(Address of Applicant)

(Certification by Village Treasurer)

\$ _____ connection fee paid.

\$ _____ inspection fee paid.

Application approved and permit granted:

DATE: _____ Signed: _____
(Approving Authority)