

**Ordinance #2006-11** – AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE WASTEWATER DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM; AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF, IN THE YORKVILLE-BRISTOL SANITARY DISTRICT, COUNTY OF KENDALL, STATE OF ILLINOIS AS PASSED AND APPROVED ON THE 15<sup>th</sup> DAY OF SEPTEMBER, 1975 AND AS AMENDED, OCTOBER 9, 2006, JANUARY 14, 2008.

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE YORKVILLE-BRISTOL SANITARY DISTRICT OF KENDALL COUNTY, ILLINOIS:

ARTICLE I

DEFINITIONS

Section 1: Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

**"Batch Production"** represents a customary routine discharge of acceptable strength waste.

**"Building drain"** shall mean that part of the lowest horizontal 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, beginning five (5) feet (1.5 meters) outside the interface of the building wall.

**"Building sewer"** shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection.

**"Chemical Oxygen Demand (COD)"** shall mean the quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedures.

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

**"Executive Director"** shall mean the Executive Director of the Yorkville-Bristol Sanitary District, or his authorized deputy, agent or representative.

**"Fats, Oils, or Grease (FOG)"** shall mean any hydrocarbons, fatty acids, soaps, fats, waxes, oils and any other material that is Hexane soluble or equivalent.

**"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 pre-treatment facility. A wastewater shall be considered free of floatable fat if it is properly pre-treated and wastewater does not interfere with the collection system.

**"Flow"** shall mean volume of wastewater.

**"Garbage"** shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

**"Hexane Extractable Material or "HEM"** shall mean the oil & grease extracted from a wastewater sample using USEPA Method 1664 as found in USEPA document EPA-821-B-94-004 dated October, 1994.

**"Industrial Wastes"** shall mean the wastewater from industrial processes, trade, or business as distinct from domestic or sanitary wastes.

**"May"** is permissive (see "shall").

**"Natural Outlet"** shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body of surface or ground water.

**"Normal Domestic Waste"** means 100 gallons per person per day which contains 200 milligrams per liter of BOD and 250 milligrams per liter of suspended solids.

**"NPDES Permit"** means Permit Number IL0036412 issued to the Yorkville-Bristol Sanitary District by the Director, Enforcement Division, U.S. Environmental Protection Agency, Region V, in compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. - Section 1251 et, seq.).

**"Pass Through"** is a discharge which exits the Yorkville-Bristol Sanitary District's discharge into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the Yorkville-Bristol Sanitary District's NPDES permit, including an increase in the magnitude or duration of a violation.

**"Person"** shall mean any individual, firm, company, association, society, corporation, or group.

**"PH"** shall mean the reciprocal of the logarithm of the hydrogen ion concentration. The concentration is the weight of the hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a PH value of 7 and a hydrogen-ion concentration of 10.

**"Polar Hexane Extractable Material or "P-HEM"** shall mean vegetable oils, animal fats, other highly degradable oils and other polar hydrocarbons as determined by subtracting a sample's SGT-HEM content from its HEM content.

**"Pretreatment"** shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW.

**"Pretreatment Requirements"** shall mean any substantive or procedural requirement related to pretreatment, other than a National Categorical Pretreatment Standard, imposed on an industrial user.

**"Prohibitive Discharge Standard"** shall mean any regulation developed under the authority of Section 307(b) of the Act and 40 CFR, Section 403.5.

**"Properly Shredded Garbage"** shall mean the wastes from the preparation, cooking, and dispensing of foods that have been shredded to a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch (1.27 centimeters) in any dimension.

**"Public Sewer"** shall mean a common sewer controlled by a governmental agency or public utility.

**"Sanitary Sewer"** shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

**"Sewage"** is the spent water of a community. The preferred term is "wastewater".

**"Sewer"** shall mean a pipe or conduit that carries wastewater or drainage water.

**"Shall"** is mandatory (see "may").

**"Slug"** shall mean any discharge of water or wastewater 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 and/or shall adversely affect the collection system and/or performance of the wastewater treatment works.

**"Storm rain"** (sometimes termed "storm sewer") shall mean a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

**"Suspended Solids"** shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as nonfilterable residue.

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

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

**"Wastewater Facilities"** shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

**"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 "water pollution control plant."

**"Watercourse"** shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

## ARTICLE II

### USE OF PUBLIC SEWERS REQUIRED

Section 1: It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Yorkville-Bristol Sanitary District or in any area under the jurisdiction of said Yorkville-Bristol Sanitary District, any human or animal excrement, garbage or objectionable waste.

Section 2: It shall be unlawful to discharge to any natural outlet within the Yorkville-Bristol Sanitary District, or in any area under the jurisdiction of said Yorkville-Bristol Sanitary District, any wastewater or polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Section 3: Except as hereinafter provided, it shall be unlawful to construct and maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater within the limits of the Yorkville-Bristol Sanitary District.

Section 4: The owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the limits of the Yorkville-Bristol Sanitary District and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer tributary to the Yorkville-Bristol Sanitary District, is hereby required at the owners' expense to install suitable toilet facilities therein, and to connect such facilities directly to the proper public sanitary sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so, provided that the said public sewer is within one hundred (100) feet of the property line.

Section 5: Notwithstanding the terms of this Article, or any provision contained in this ordinance, in the event that the capacity of the Yorkville-Bristol Sanitary District sewage treatment plant has been reached, no further hook-ups shall be permitted. The Executive Director shall make the sole determination as to when the capacity has been reached.

### ARTICLE III

#### PRIVATE WASTEWATER DISPOSAL

Section 1: Where a public sanitary sewer is not available under the provisions of Article II, Section 4, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this article.

Section 2: Before commencement of construction of a private wastewater disposal system the owners shall first obtain a written permit signed by the Executive Director. The application for such permit shall be made on a form furnished by the Yorkville-Bristol Sanitary District, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Executive Director. A permit and inspection fee of \$250.00 shall be paid to the Yorkville-Bristol Sanitary District at the time the application is filed.

Section 3: A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the Executive Director. The Executive Director shall be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the permit shall notify the Executive Director when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the Executive Director.

Section 4: The type, capabilities, location, and the layout of a private wastewater disposal system shall comply with all recommendations of the Department of Public Health of the State of Illinois. No permit shall be issued for any private wastewater disposal system employing subsurface soil absorption facilities where the area of the lot is less than 40,000 square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

Section 5: At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in Article III, Section 4, a direct connection shall be made to the public sewer within sixty (60) days in compliance with this ordinance, and any septic tanks, cesspools, and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material.

Section 6: The owners shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the Yorkville-Bristol Sanitary District.

Section 7: No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Department of Public Health.

#### ARTICLE IV

#### BUILDING SEWERS AND CONNECTIONS

Section 1: No connection shall be made to any sewer of the Yorkville-Bristol Sanitary District system or to any sanitary sewer tributary thereto, and no additional use shall be made of an existing connection thereto, until an application therefor is properly completed and submitted to the Sanitary District, plans and specifications therefor submitted when requested for approval by the Sanitary District and the charge therefor is paid in full by the applicant to the Sanitary District. After a connection has been made pursuant to a permit issued as herein provided, the construction ditch shall be left open until the Sanitary District has been notified of the connection, and has inspected and approved the sewer construction and connection.

Section 2: Each applicant for connection to or additional use of such sewers shall be given credit for the number of units being served through an existing Yorkville-Bristol Sanitary District sewer, or a sanitary sewer tributary thereto, at the time the re-construction or remodeling of the building then served and/or to be served is commenced. [Credit shall not be given for units not previously permitted by the District. There shall be a ten percent (10%) Administration Fee applied to all refunds requested for units paid for, but not constructed as deemed by the Executive Director. Connection Permits shall expire one year after date of issuance. Amended May 14, 2007.]

#### Section 3: CONNECTION AND INDUSTRIAL CHARGES

##### *Paragraph One: Definitions*

**"Outlet"** means each floor drain, wash basin, wash fountain, toilet, urinal, shower, air conditioner drain, water softener, backwash drain, water cooler, dentist tray drain, or other similar plumbing fixture and any orifice of any machine, vessel or tank of any kind, manifolded or singly, through which waste may flow into a sewer; the flow of which ultimately is processed by the Wastewater Treatment Works of the Yorkville-Bristol Sanitary District.

Where not specifically covered in this ordinance, five (5) or less outlets shall constitute one (1) unit.

**"Car Wash"** means, but is not limited to, the use of mechanical conveyors, blowers and steam cleaning.

**"Dry Industry"** means an industry which discharges wastes other than industrial sewage, commonly called industrial waste.

**"Trench Floor Drain"** means a floor drain, normally with a grating placed into the floor to accept and capture wastewater from the floor area. Each ten square feet of trench floor drain shall constitute one unit.

Paragraph Two:

For residential occupancy the connection charge shall be \$1,400.00 per single family building and \$1,400.00 for the first unit and \$1,400.00 for each additional unit in a multiple family building.

Paragraph Three:

For all purposes other than residential, the connection charge shall be \$1,400.00 multiplied by the number of units applicable to the use classified as follows:

<u>USE OF BUILDING</u>	<u>NUMBER OF UNITS</u>
<b>STORES, MERCANTILE AND OFFICE BUILDINGS</b>	
Each private toilet	1
Each public toilet with no more than three outlets	1-1/2
Each additional outlet	1/2
Soda Fountain	1
Grocery Stores, Meat Markets, or any food preparation area with garbage grinders	2
<b>DRIVE-INS</b>	
Each public toilet	1-1/2
Kitchens	1-1/2
<b>RESTAURANTS AND THEATERS</b>	
Garbage Grinders	2
Dishwasher	1
Food Service capacity number of persons	
0-50	1
50-100	2
100-200	3
Each private toilet	1
Each public toilet	1-1/2
<b>SERVICE STATIONS</b>	
Each public toilet	1-1/2
Wash rack	2
<b>CLUBS</b>	
Each toilet	1-1/2
Restaurant charge as above	
<b>MOTELS AND HOTELS</b>	
Each room with bath or shower and/or toilet	1/3
Each public toilet	1-1/2
Restaurant charge as above	

<b>MOBILE TRAILER PARKS</b>	
Each trailer space with sanitary sewer outlet	1/2
Each automatic washer unit	1/2
Each public toilet	1-1/2
Each public shower	1
<b>LAUNDRIES</b>	
Each automatic washer unit	1/2
Each public toilet	1-1/2
<b>SELF-SERVICE CAR WASH</b>	
Per rack (covered)	1
Per rack (uncovered)	4
<b>AUTOMATIC CAR WASH</b>	
Each production line	10
Each public toilet	1-1/2
<b>NURSING HOMES AND HOSPITALS</b>	
Resident capacity of each building determined from architect's plans and specifications divided by 4	Quotient to 2 decimal points
<b>SCHOOLS</b>	
Student capacity of each building determined from architect's plans and specifications divided by 12	Quotient to 2 decimal points
<b>DORMITORIES, FRATERNITIES AND SORORITIES</b>	
Resident capacity of each building as determined from architect's plans and specifications divided by 6	Quotient to 2 decimal points

Paragraph Four:

The industrial charge for new or additional producers of industrial sewage commonly called industrial wastes, shall be determined as follows:

- 1) The Yorkville-Bristol Sanitary District shall estimate the daily pounds of five-day bio-chemical oxygen demand (BOD), the daily pounds of suspended solids and the daily flow in gallons of the wastes of the industry discharged to the Yorkville-Bristol Sanitary District sewer system or sewers tributary thereto.
- 2) The daily pounds of BOD so estimated shall be multiplied by six; the daily pounds of suspended solids so estimated shall be multiplied by five; the estimated daily gallons of flow shall be divided by one hundred; and these three figures shall be averaged to determine the estimated population equivalent for the industry.
- 3) The estimated population equivalent of the industry determined as above shall be multiplied by \$100.00 to determine the charge for the industry.
- 4) The minimum charge for a new industry shall be \$1,400.00 (fourteen hundred dollars).
- 5) When in the judgment of the Board of Trustees of the Yorkville-Bristol Sanitary District an industry shall be classified as an "unusual industry" the charge for such industry shall be determined separately and at the discretion of the Board of Trustees of said District.

- 6) All industry, in addition to the charges and provisions contained herein, shall be subject to all applicable State Statutes and Local Ordinances from time to time in force, especially as regards to installation of pre-treatment equipment and quantity and quality of the flow received by the District or tributary sewer lines from said industry.

In the case of industry, each charge shall be reviewed by the Yorkville-Bristol Sanitary District at the end of the first year of operation of said industry and shall be adjusted on the basis of the annual operation experience and settlement therefor, within three (3) months thereafter.

Section 4: A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot where no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the front building may be extended to the rear building and whole considered as one building sewer, but the Yorkville-Bristol Sanitary District does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

Section 5: Old building sewers may be used in connection with new buildings only when they are found, upon examination and test by the Executive Director, to meet all requirements of this ordinance.

Section 6: 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 Yorkville-Bristol Sanitary District. In the absence of the code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WEF Manual of Practice No. 9 shall apply.

Section 7: Whenever possible, the building sewer shall be brought to the building at an elevation no less than 18 inches 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.

Section 8: No person(s) shall make connection of roof downspouts, 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 unless such connection is approved by the Executive Director for purposes of disposal of polluted surface drainage.

Section 9: 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 Yorkville-Bristol Sanitary District, or the procedures set forth in appropriate specifications of the ASTM and the WEF Manual of Practice No. 9. All Such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Executive Director before installation.

Section 10: The applicant for the building sewer permit shall notify the Executive Director when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the Executive Director or his representative.

Section 11: 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 Yorkville-Bristol Sanitary District.

Section 12: Plans shall be submitted to the Yorkville-Bristol Sanitary District for all new construction, modification of existing non-residential or multiple-family structures. These plans will be checked to see whether all the provisions of the District's Sewer User Ordinance have been met and to determine the connection fee. The Plan Review charge is \$0.50 per foot of proposed sewer eight inches in diameter or greater, and shall be paid by developer prior to the execution of the EPA extension permit. The minimum Plan Review charge is \$800.00.

Section 13: ANNEXATION FEE

Purpose of Fee. The cost of constructing sewers and treatment facilities must be borne by all persons benefitting therefrom. In order to make the cost of these improvements equitable to all receiving the benefit and to provide the District funds for their construction a fee is established.

Amount of Fees. The fee shall be \$3,806.00 per acre and shall be payable upon annexation to the District. The annexation fee amount shall be established annually based on the indices printed in the publication "Engineering News Record" construction costs index.

Section 14: INTERCEPTOR SEWERS

All sanitary sewers within the boundaries of the Yorkville-Bristol Sanitary District 18 inches in diameter and larger shall be considered Yorkville-Bristol Sanitary District Interceptor Sewers. These sanitary sewers shall be owned and maintained by the Yorkville-Bristol Sanitary District.

Paragraph 5:

Section 1: There is hereby established an infrastructure participation fee in the amount of \$3,806.00 per acre for each acre annexed to the District, which will be paid as the area is annexed or an agreement is approved. The fee shall be payable prior to the signing of the Illinois E.P.A. permit application for on-site sanitary sewer improvements as determined by the Board, or at such other time as the Board may determine.

The infrastructure fee amount shall be established annually based on the indices printed in the publication "Engineering News Record" construction costs index.

ARTICLE V

USE OF THE PUBLIC SEWERS

Section 1: No person(s) shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water to any sewer, except stormwater runoff from limited areas, which stormwater may be polluted at times, may be discharged to the sanitary sewer by permission of the Executive Director.

Section 2: Stormwater other than that exempted under Section 1, Article V, 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 Executive Director and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged, on approval of the Executive Director, to a storm sewer, or natural outlet. Providing that all such unpolluted industrial cooling waters or process waters must pay a user charge as defined in Article VIII, Section 3, and also prior to the discharge of any such waters, the person(s) so discharging must obtain an Environmental Protection Agency permit from the State of Illinois permitting such discharge.

Section 3: No person(s) shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- b) Any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, or injure or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in receiving waters of the wastewater facilities.
- 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 wastewater facilities.
- 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 wastewater facilities such as, but not limited to, ashes, bones, 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, paints (oil base, water base, or synthetic) etc., either whole or ground by garbage grinders.

Section 4: The following described substances, materials, waters, or waste shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Executive Director may set limitations lower than the limitations established in the regulations below if in his opinion such more severe limitations are necessary to meet the above objectives. In forming his opinion as to the acceptability, the Executive Director will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials or construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewater discharged to the sanitary sewer which shall not be violated without approval of the Executive Director are as follows:

- a) Wastewater having a temperature higher than 150° Fahrenheit or 65°C.
- b) Any garbage that has not been properly shredded (see Article 1, Section 13). Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
- c) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Executive Director for such materials.

- d) Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Executive Director.
- e) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Executive Director in compliance with the applicable state or federal regulations.
- f) Quantities of flow, concentrations, or other which constitute a "slug" as defined herein.
- g) Waters or wastes which may cause violation of water quality standards, containing substances which are not amenable to treatment or reduction of the wastewater treatment process employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- h) Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.
- i) Wastewater containing more than 200 milligrams per liter of BOD, or more than 250 milligrams per liter suspended solids. A COD measurement shall be made in place of BOD whenever a sample contains pollutants which interfere with the accuracy of the BOD test. The COD concentration shall not exceed 400 milligrams per liter.
- j) Wastewater containing more than 25 milligrams per liter of Ammonia Nitrogen (NH<sub>3</sub>-N), 5 milligrams per liter of total Phosphorous (P) and 50 milligrams per liter of Hexane Extractable Materials (HEM), which can include but is not limited to cooking oils, diesel fuel, petroleum oils, cutting oils, grease, animal fat, etc.

Section 5: If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 of this Article, or which in the judgment of the Executive Director, may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters or which otherwise create a public nuisance, the Executive Director may:

- a) Reject the wastes.
- b) Require pretreatment to an acceptable condition for discharge to the public sanitary sewers.
- c) Require control over the quantities and rates of discharge, and/or
- d) Require payment to cover added costs of handling and treating the wastes not covered by ad valorem taxes, uniformly imposed throughout the confines of the Yorkville-Bristol Sanitary District or sewer charges under the provisions of Section 10 of this Article. If the Executive Director 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 Executive Director.
- e) Issue a Discharge Permit to industrial or commercial dischargers and charge a fee.

- f) Charge a fee for monitoring, inspection, and surveillance, by recapturing the cost of collection and analysis of the strength of a User's (industry) discharge, and reviewing required reports submitted. Require all reports and information, etc. be signed by an authorized person of responsible charge.
- g) Charge fees for reviewing and responding to accidental discharges.
- h) Charge other fees as the Yorkville-Bristol Sanitary District may deem necessary to carry out the requirements obtained herein. These fees relate solely to the matters covered by this Ordinance and are separated from all other fees, fines, and penalties chargeable by the Yorkville-Bristol Sanitary District.

Section 6: Grease, oil, and sand interceptors (grease traps) shall be provided when, in the opinion of the Executive Director, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in Section 4(c), 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 (grease traps) shall be of materials and of a type and capacity approved by the Executive Director, and shall be located as to be readily and easily accessible for cleaning and inspection. In maintaining of these interceptors the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal which are subject to review by the Executive Director. Any removal and hauling of the collected materials not performed by owner(s)' personnel must be performed by currently licensed waste disposal firms and records of manifests be kept and available for inspection for a minimum of three years.

Section 7: Where pre-treatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his expense.

Section 8: When required by the Executive Director, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure or manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such structure, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the Executive Director. The structure shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

Section 9: All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Ordinance shall be determined in accordance with the latest edition of

“Standard Methods for the Examination of Water and Wastewater”, published by the American Public Health Association. Sampling methods, locations, times, durations, and frequencies are to be determined on an individual basis subject to approval by the Executive Director.

Section 10: No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the Yorkville-Bristol Sanitary District and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Yorkville-Bristol Sanitary District for treatment, providing that no such industrial concern shall be permitted to pay less than the rates as established in Article VIII.

Section 11: Notwithstanding the foregoing limitations on effluent to be discharged into the system of the Yorkville-Bristol Sanitary District, the following levels of contaminants as indicated by their appropriate storet number shall not be exceeded:

<b><u>CONSTITUENT</u></b>	<b><u>MAXIMUM CONCENTRATION (mg/l)</u></b>
Ammonia Nitrogen (NH3-N)	50.0
Arsenic (total)	0.25
Barium (total)	2.0
Biochemical Oxygen Demand (CBOD5)	400.0
Cadmium (total)	0.15
Chromium (total hexavalent)	0 .03
Chromium (total trivalent)	1.0
Copper (total)	1.0
Cyanide	0.025
Fluoride (total)	2.5
Iron (total)	2.0
Iron (dissolved)	0.5
Lead (total)	0.1
Manganese (total)	1.0
Mercury (total)	0.005
Nickel (total)	1.0
Oil, Hexane Extractable Materials (HEM)	100.0
*PH	range 5-10
Phenols	0.3
Phosphorous, Total (P)	10.0
Selenium (total)	1.0
Silver	0.1
Suspended Solids, Total (TSS)	500.0
Zinc (total)	1.0

\*The PH limitation is not subject to averaging and must be met at all times.

Section 12: That in the event that an emergency occurs in the Yorkville-Bristol Sanitary District system in the opinion of the Executive Director, the Executive Director may, on a temporary basis, and for such periods of time as may be required to alleviate any emergency, exclude those users which are industrial in character, subject to the conditions of the NPDES Permit.

Section 13: The Sanitary District is hereby authorized, in the event the Executive Director determines that the plant capacity has been reached or exceeded, to cease any new connections into the system tributary to the Yorkville-Bristol Sanitary District until such time as further capacity is available.

Section 14: All sanitary sewers, including both public sewers and building sewers, constructed within the Yorkville-Bristol Sanitary District Facility Planning Area shall be designed and constructed in accordance with the Yorkville-Bristol Sewer User Ordinance as originally adopted on the 15th day of September, 1975 and as amended, and the latest editions of the following: "Standard Specifications for Water and Sewer Main Construction in Illinois" and the "Standard Specifications for Sanitary Sewer Construction in the Yorkville-Bristol Sanitary District." In case of conflict between any part or parts of the above mentioned documents, the statement contained within the document first enumerated below shall take precedence and govern:

1. Yorkville-Bristol Sewer User Ordinance as originally adopted on the 15th day of September, 1975 and as amended
2. Standard Specifications for Sanitary Sewer Construction in the Yorkville-Bristol Sanitary District, latest edition
3. Standard Specifications for Water and Sewer Main Construction in Illinois, latest edition

#### ARTICLE VI

Section 1: No person(s) shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities. Any person(s) violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

#### ARTICLE VII

##### POWERS AND AUTHORITY OF INSPECTORS

Section 1: The Executive Director and other duly authorized employees of the Yorkville-Bristol Sanitary District bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge to the community system in accordance with the provisions of this Ordinance.

Section 2: The Executive Director or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.

Section 3: While performing the necessary work on the private properties referred to in Article IV, Section 1, above, the Executive Director or duly authorized employees of the Yorkville-Bristol Sanitary District 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 Yorkville-Bristol Sanitary District employees, and the Yorkville-Bristol Sanitary District shall indemnify the company against loss or damage to its property by the Yorkville-Bristol Sanitary District employees and against liability claims and demands for personal injury or property damage asserted against the company, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article V, Section 8.

Section 4: The Executive Director and other duly authorized employees of the Yorkville-Bristol Sanitary District bearing proper credentials and identification shall be permitted to enter all private properties through which the Yorkville-Bristol Sanitary District holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, maintenance and replacement of any portion of the wastewater facilities 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 executed easement pertaining to the private property involved.

## ARTICLE VIII

### THE USER CHARGES

Section 1: That there is hereby imposed a charge on all users of the Yorkville-Bristol Sanitary District treatment works for the operation and maintenance costs of such treatment works.

Section 2: The user charges for all users shall be as follows:  
Effective June 4, 2007 The Yorkville-Bristol Sanitary District user fee for wastewater treatment shall be \$1.10 per 100 cubic feet of flow, providing that user shall pay a minimum fee bi-monthly of \$76.11, of which \$25.45 shall be dedicated to Debt Service for the repayment of State of Illinois Environmental Protection Agency Loan.

Such charges as determined above shall be billed to each user bi-monthly and shall be payable within thirty (30) days. In the event that such charge is not paid when due, it shall become a lien against the real estate owned by the user and may be foreclosed by the Yorkville-Bristol Sanitary District in any manner provided by law. Nothing herein contained, however, shall limit the right of the Yorkville-Bristol Sanitary District to collect the amount of such user charge as any other debt may be collected. In the event a user as herein above defined fails to pay the user charge as duly imposed hereunder when due, and said non-payment continues for a period of thirty (30) days after the due date, the Executive Director is hereby authorized to disconnect said user from the system. No person so disconnected shall be re-connected to the system until a deposit in the sum of four (4) times the average bi-monthly billing for that user as a security for future collections has been made with the Executive Director. All deposits made under the provisions of this paragraph shall earn interest for the depositor at the standard rates provided for by the local banking institutions for passbook savings. In the event future delinquencies occur for users who have made deposits under the provisions of this Ordinance, the Executive Director is authorized to deduct from said deposit the amount of the payment in arrears upon the expiration of thirty (30) days after the due date of said payment, and said user shall be thereupon notified that an additional deposit is required in the amount of the payment, and in the event the additional deposit is not made within thirty (30) days after notification, the Executive Director is hereby authorized to disconnect said user from the system until the amount of the deposit is properly made. All costs incurred by the Yorkville-Bristol Sanitary District in disconnection and re-connection from or to the system shall be paid to the Sanitary District by the user prior to re-connection. The Yorkville-Bristol Sanitary District may also shut water service off with the cooperation of the City Water Department. Water service shall be turned on after full payment is received.

The user charge shall begin upon the issuance of an occupancy permit by the applicable authority.

Section 3: User charges as herein imposed may be raised or lowered at the discretion of the Yorkville-Bristol Sanitary District to reflect actual increased or lowered operation and maintenance costs of the treatments works.

Section 4: The user charges as herein above set forth shall apply only to those recipients of waste treatment services furnished by the Yorkville-Bristol Sanitary District which are located within the geographical boundaries of the Yorkville-Bristol Sanitary District.

Section 5: There is hereby imposed a user charge upon the recipients of waste treatment services from the Yorkville-Bristol Sanitary District which are located outside the geographical boundaries of the District, which said user charge shall be as determined by Section 3 and as increased by the following formula: percentage as defined by the relationship of the ad valorem taxes received in each fiscal year by the Yorkville-Bristol Sanitary District as compared with the total sewer user charge as received by the users within the Yorkville-Bristol Sanitary District geographical boundaries, which said percentage shall be determined as part of the May 1 of each fiscal year and shall be applicable for the ensuing fiscal year until the following May 1.

Section 6: That the charges as herein above determined have been established with the principle that industrial waste and domestic waste should be given as equal treatment as possible and that the charges as herein above set forth shall be renewed annually and adjusted accordingly to maintain an equitable sharing between industrial wastes and domestic wastes.

Section 7: That in billing all users as herein above defined, the Executive Director is hereby authorized to make periodic sampling of the concentration of the effluent discharged from said users, and in the event the concentration exceeds the customary concentration for the ordinary domestic waste, the Executive Director is hereby authorized to bill the user in accordance with the parameters established for billing industrial users, and to base said billings upon periodic samplings.

Section 8: For the purposes of this Ordinance, Users shall include, but not be limited to, each individual dwelling unit; each separate business operation; and such similar classification as will be in general harmony with the spirit of this Ordinance. For the purposes, however, of billing for industrial, governmental and commercial users, that in the event multiple industrial, governmental or commercial users are located within one (1) building serviced by one (1) meter, that the billing for such multiple industrial, governmental or commercial users shall be on the basis of the one (1) meter reading, and shall be directed to the person in whom said meter is registered. Collection of sewer users charges as imposed in Section 3 hereof shall be imposed against all users and shall be collected therefrom, providing, however, that with regard to multiple residential dwelling units, "User" is hereby defined to mean the owner of the multiple unit dwelling, and collection of the charge as determined by the number of residential units shall be imposed against the owner.

ARTICLE IX

EXCESSIVE STRENGTH WASTEWATER SURCHARGES

The Yorkville-Bristol Sanitary District has determined that certain pollutants are compatible with the wastewater treatment process. The Yorkville-Bristol Sanitary District reserves the right to recover the treatment costs for those compatible pollutants that exceed the surcharge levels listed in this Section.

<u>COMPATIBLE POLLUTANT</u>	<u>SURCHARGE LEVEL</u>	<u>COST PER SURCHARGE</u> <u>POUND</u>
Biochemical Oxygen Demand (CBOD5)	200 mg/l	\$ 0.43
Total Suspended Solids (TSS)	250 mg/l	\$ 0.38
Ammonia Nitrogen (NH3-N)	25 mg/l	\$ 0.25
Hexane Extractable Materials (HEM)	50 mg/l	\$ 0.25
Total Phosphorous (P)	5 mg/l	\$ 0.25

The excessive strength sewage surcharges for these pollutants shall be calculated using the following formula:

$$Ps = (PAVG - PSL) \times Q \times 8.345 \times TCP$$

- where:
- Ps = the excessive strength surcharge or the given compatible pollutant.
  - PAVG = the average concentration of the compatible pollutant for the wastewater discharge in question.
  - PSL = the surcharge level concentration of the compatible pollutant as indicated in any Yorkville-Bristol Sanitary District Ordinances or Rate Schedules in effect at the time the surcharge is calculated.
  - Q = the Industrial User wastewater flow in millions of gallons (MG).
  - 8.345 = a factor which converts the product of concentration (mg/L) and flow (MG) into pounds of compatible pollutant.
  - TCP = the treatment cost charge per pound of the compatible pollutant, such charge being stipulated by any Yorkville-Bristol Sanitary District Ordinances or Rate Schedules in effect at the time the surcharge is calculated.

### EXAMPLE CALCULATION

Bi-monthly Discharge Flow = 300,000 Gallons

Average Sample BOD = 8,000 mg/l

Average Sample SS = 500 mg/l

$BOD = (8,000 - 200) 7,800 \times 8.34 \times 0.43 \times 0.300 = \$8,391.70$

$SS = (500 - 250) 250 \times 8.34 \times 0.38 \times 0.300 = \$237.69$

### PAYMENT OF EXCESSIVE STRENGTH SURCHARGES

Any discharger of Excessive Strength Surcharges shall pay the amount calculated by the Yorkville-Bristol Sanitary District within sixty days or face the possibility of having their Sanitary Sewer Service plugged or disconnected.

### ARTICLE X

#### COST RECOVERY

##### Section 1: Reimbursement of Fees:

In the event that it is necessary for the Yorkville-Bristol Sanitary District to retain the services of a professional, including, but not limited to attorneys, engineers, planners, architects, surveyors, drainage experts, for the development of Sanitary Interceptor Sewers, sanitary sewer extensions or planning issues, then the petitioner and or the owner of the property shall be jointly and severally liable for payment of such professional fees and reimbursement shall be made to the Yorkville-Bristol Sanitary District.

Failure to reimburse the Yorkville-Bristol Sanitary District in accordance with this subsection, in the Yorkville-Bristol Sanitary District's discretion, result in the refusal of any board, committee or other governing body to consider or take action upon any further requests from a petitioner or owner who has failed to pay in full all amounts due under this Section. Further, the Yorkville-Bristol Sanitary District may deny any application for an IEPA sanitary sewer permit, sanitary sewer connection permit, or other permit if such amounts have not been paid in full and the Yorkville-Bristol Sanitary District may elect to file a lien against any real property associated with such a petitioner's request. Interest in the amount of one and one-half percent (1-1/2%) per month shall accrue on all sums outstanding for thirty (30) days or more.

When any professional service contemplated by this Section are rendered by the Yorkville-Bristol Sanitary District staff, including any staff engineers, or services performed by the Yorkville-Bristol Sanitary

District Executive Director, then, the party making the request shall reimburse the Yorkville-Bristol Sanitary District for its costs incurred by providing the professional services of the Yorkville-Bristol Sanitary District staff, at the rate of One Hundred Twenty-five Dollars (\$125.00) per hour.

Professional expert, legal, and engineering services performed by the Yorkville-Bristol Sanitary District's consultant shall be reimbursed at the rates charged by its consultant per calendar year the service is performed.

The Yorkville-Bristol Sanitary District Executive Director or his designee, is hereby authorized to assign requests for professional services to Yorkville-Bristol Sanitary District staff or to consultants as the Yorkville-Bristol Sanitary District Executive Director deems appropriate.

#### ARTICLE XI

#### VIOLATIONS

Section 1: Any person, firm or corporation violating any provisions of this Ordinance shall be fined not less than \$500.00 nor more than \$1,000.00 for each offense and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues, and further that any person, firm or corporation causing damage to occur to any part of the Yorkville-Bristol Sanitary District system, or to any person, firm or corporation or any property of any person, firm or corporation downstream or tributary of said system as a result of the violation of this Ordinance or the NPDES Permit, that said person, firm or corporation so violating this Ordinance, or the NPDES Permit shall be liable in damages to the Yorkville-Bristol Sanitary District, or to such person, firm or corporation whose person or property has been so damaged.

#### ARTICLE XII

Section 1: If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity or constitution of the remaining portions.

Section 2: That all Ordinances, or parts of Ordinances, conflicting with any of the provisions of this Ordinance be, and the same are hereby modified or repealed.


Section 3: This Ordinance shall take effect and be in full force from and after its passage and publication in accordance with the law.

PASSED by the Board of Trustees of the Yorkville-Bristol Sanitary District this 9th day of October 2006, by a vote as follows:

AYES: 3

NAYES: 0

ABSENT: 0



\_\_\_\_\_  
President of the Board of Trustees of Yorkville-Bristol Sanitary District

ATTEST:  \_\_\_\_\_

Clerk of the Board of Trustees of Yorkville-Bristol Sanitary District