

Title 13

PUBLIC SERVICES

Chapters:

13.04	WATER SERVICE SYSTEM
13.08	SEWER SERVICE SYSTEM
13.12	RESIDENTIAL UTILITY SERVICE TERMINATION
13.16	CROSS-CONNECTION CONTROL

Chapter 13.04

WATER SERVICE SYSTEM

Sections:

13.04.005	Definitions
13.04.010	City water supply may be turned on only by authorized personnel.
13.04.015	Application for water service.
13.04.020	Deposit.
13.04.030	Resale of water prohibited.
13.04.040	Tampering.
13.04.050	Installation.
13.04.060	Repairs at the expense of owner.
13.04.065	Excavations for connections.
13.04.070	Service lines.
13.04.080	Water meter required.
13.04.090	Reading meters.
13.04.100	Rates for water service.
13.04.110	Bills--Late charge, service charge, returned checks or payments.
13.04.120	Location of meters.
13.04.130	Meter repairs.
13.04.140	Petition for water main extension.
13.04.150	Water main extensions.
13.04.160	Tap-in fees.
13.04.170	Standards of materials.
13.04.180	Miscellaneous regulations.
13.04.185	Inspection.
13.04.190	Water bills.
13.04.200	Liens claim.
13.04.210	Foreclosure of liens.
13.04.220	Tap or extension to be within the corporate limits of the City.
13.04.230	Connection, extension or water service within corporate limits only-Exceptions.
13.04.235	Liability.
13.04.240	Violation--Penalty.

Section 13.04.005 Definitions

- A. "Capital Improvement Cost" shall mean the cost to improve, extend or reconstruct the water works.
- B. "City" means the City of Olney.
- C. Clarification of word usage: "Shall" is mandatory; "may" is permissible.
- D. "Debt Service Cost" shall be the amount necessary for payment of interest, principal and coverage of loans and bonds outstanding.
- E. "Local Capital Cost" shall mean costs other than the Operation, Maintenance and Replacement costs, i.e., debt service and capital improvement costs.
- F. "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.
- G. "Replacement" shall mean expenditures for obtaining and installing equipment,

accessories, or appurtenances which are necessary during the useful life of the works to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.

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

I. "Useful Life" shall mean the estimated period during which the water works will be operated.

J. "Water Service Charge" shall be the charge per month billed to all users of the Water Facilities. The service charge shall be computed as outlined in Sections 13.04.100 and 13.04.190 and shall be sufficient to cover all costs of the water works system, including Operation, Maintenance and Replacement costs, and Local Capital Cost.

K. "Curb Stop" shall mean a shutoff valve attached to a water service pipe from a water main to a building installed between the curb line and the property line, which may be operated by a valve key to start or stop flow in the water supply lines of a building. (Ord. 2013-5 § 1: Ord. 1999-35 § 1)

(2013-5, Amended, 01/28/2013, Added Paragraph K, "Curb Stop"; 99-35, Sec. 1, Added, 05/10/1999, Added 13.04.005, Definitions)

Section 13.04.010 City water supply may be turned on only by authorized personnel.

It is unlawful for any person other than an employee of the City Utility Department or a person obtaining written authorization from the City Utility Department to open any main valve, fire hydrant, or other valve permitting water from the City water supply to flow onto the street, to service any residence or business, or to flow into private water lines servicing new subdivisions. It is also unlawful for any person to open any fire hydrant, main valve, or new service lines off private water lines located in new developments and which have not yet been dedicated to or accepted by the City unless such opening is accomplished by an employee of the City Utility Department or proper written authorization is received from the City Utility Department. This section shall be subject to the penalty set forth in Section 13.04.240. (Ord. 2001-59 § 4: Ord. 93-2 § 1 (part): prior code § 52.01)

(2001-59, Amended, 11/13/2001, Changed Water Dept. to Utility Dept.)

Section 13.04.015 Application for water service.

Any person desiring water service shall make application for such service in person at City Hall. The applicant must sign the completed application and work order. The applicant must be seventeen years of age or older and must present a valid picture identification card. An applicant who is not the owner of the property for which service is being requested must show a copy of a rental agreement, lease agreement or other evidence that the applicant has permission by the property owner to occupy the property. (Ord. 2006-22 § 1)

(2006-22, Added, 07/24/2006, New section)

Section 13.04.020 Deposit.

A. A deposit shall be required and collected from all new customers to insure the payment of water, sewer and garbage charges to the City and shall be held for the purpose of paying any utility charges of that customer. The term "new customer" shall include the following:

1. All customers hereafter connecting to the water or sewer system;
2. All customers who shall have had their services disconnected or terminated for any reason,

including lack of payment, and who shall thereafter be reconnected to the system upon payment of the required service charge, unless the City has not sent a termination notice to the customer within the 24-month period immediately prior to the date of disconnection; and

3. All customers who shall have had their services subject to disconnection or termination, but such services remain in service because of conditions not under the control of the City, its employees or agents, and who shall thereafter make payment of the required service charge, unless the City has not sent a termination notice to the customer within the 24-month period immediately prior to the date of disconnection.

B. Upon application for utility services, each residential, business or commercial customer shall make a deposit of one hundred twenty-five dollars (\$125.00). Each customer shall also pay all past due accounts for the applicant or anyone in the applicant's household.

If the application for utility services is for the transfer from a current account to a new account, the deposit, including any supplemental deposit, on the current account will be transferred to the new account if the current account is not delinquent. If the deposit at the current account does not satisfy the current deposit requirement, the applicant shall pay the difference prior to the beginning of service.

If an applicant for utility services has had service with the City previously and the applicant was required to make supplemental deposits on the service, the applicant may be required to make a supplemental deposit in the amount of the supplemental deposit at the previous location in addition to the deposit required in this Section.

C. When service to the customer is discontinued permanently, the deposit, less any amount still due the City for water, sewer or garbage services, shall be refunded without interest. The terms of this section shall be applied to any customer whether the customer shall be an owner or renter of the premises served. However, the foregoing provisions for deposits shall be subject to the following exceptions:

1. Whenever a customer who shall be the owner of the property served shall present evidence of such ownership and shall further present evidence of having paid all water, sewer and garbage charges for services to the premises without being in arrears for the prior twelve (12) monthly water, sewer and garbage bills, such customer shall be entitled to a refund of the customer deposit.

2. Whenever a customer shall have established credit in the manner described in subsection (C)(1) of this section, and shall request service to a new or additional location, and shall present evidence of ownership of such location and of the continued payment of all water, sewer and garbage charges without arrears, no deposit shall be required for such new service. (Ord. 2014-42 § 1: Ord. 2006-22 § 2: Ord. 2006-08A § 23: Ord. 2003-9 § 12: Ord. 2002-8 § 1: Ord. 2001-24 § 1: Ord. 1998-34 § 6: Ord. 1993-2 § 1 (part): prior code § 52.02)

(2014-42, Amended, 11/10/2014, Add wording to Paragraphs 2 and 3; 2006-22, Amended, 07/24/2006, Par. B of Sec. 13.04.020 (Raise deposit to \$125 plus additional language; 2006-08A, Amended, 03/13/2006, Par. B of Sec. 13.04.020 (Raise deposit to \$100); 2003-9, Sec. 12, Amended, 04/28/2003, Par. B of Sec. 13.04.020 (Raise deposit to \$80.00); 2002-8, Sec. 1, Amended, 03/11/2002, Par. B of Sec. 13.04.020 (Raise deposit to \$65.00); 2001-24, Amended, 05/29/2001, Par. B of Sec. 13.04.020 (Raise deposit to \$60.00))

Section 13.04.030 Resale of water prohibited.

No water shall be resold or distributed by the recipient thereof from the City supply to any premises other than that for which application has been made and the meter installed, except in the case of an emergency. (Ord. 1993-2 § 1 (part): prior code § 52.03)

Section 13.04.040 Tampering.

It is unlawful for any person other than an employee of the City Utility Department or a person obtaining written authorization from the City Utility Department to tamper with, alter or injure any part of the City water works or supply system, or any meter. Any contractor, developer, plumber or other individual who violates this section, whether or not during the course of any business activities, shall be

liable for all damage to persons or property and for expenses incurred by the City as a result of the violation. This section shall be subject to the penalty set forth in Section 13.04.240. (Ord. 2001-59 § 5: Ord. 1993-2 § 1 (part): prior code § 52.04)
(2001-59, Amended, 11/13/2001, Changed from Water Dept. to Utility Dept.)

Section 13.04.050 Installation.

All service pipes, laterals and all related equipment from the mains to the premises served shall be installed by, and at the cost of, the owner of the property to be served or the applicant for the service. The City Water Distribution Department will make the tap. The property owner, applicant for service or plumber may purchase all materials for installation of a 3/4-inch or 1-inch service line from the main to and including the meter (meter tile, ring and cover, meter setter, corporation stop, 1-inch meter, and copper line) from the City. Materials for all other tap sizes shall be provided by the owner, applicant or contractor. (Ord. 2013-5 § 2: Ord. 1993-2 § 1 (part): prior code § 52.05)
(2013-5, Amended, 01/28/2013, Amended first sentence and added rest of paragraph.)

Section 13.04.060 Repairs at the expense of owner.

All repairs for service pipes and laterals from the water main up to and including the curb stop (but not to exceed 75 feet) shall be made by and at the expense of the City. From the curb stop to the property served, all repairs and excavations shall be by and at the expense of the property owner. The City may, in the case of an emergency, repair any service pipes that are the responsibility of the owner, and if this is done the cost of such repair work shall be repaid to the City by the owner of the premises served. (Ord. 2013-5 § 2: Ord. 1993-2 § 1 (part): prior code § 52.06)
(2013-5, Amended, 01/28/2013, Amended paragraph)

Section 13.04.065 Excavations for connections.

Excavations for installing service pipes, laterals and other related equipment or repairing the same shall be made in compliance with all ordinances and City Code provisions relating to excavations in streets and other City property. (Ord. 2013-5 § 3)
(2013-5, Added, 01/28/2013, New Section)

Section 13.04.070 Service lines.

A. All users of water shall install K-copper service lines connecting the water main and water meter. For a connecting pipe with a diameter of three-fourths (3/4) of an inch, a meter with a service opening of either five-eighths (5/8) or three-fourths (3/4) of an inch may be used. For all other service pipes of a greater diameter than three-fourths (3/4) of an inch, a meter with a service opening of the same diameter of the service shall be used.

B. All non-copper service lines from the water meter to the building shall be installed with tracer wires or tracer tape to allow location with standard metal line locating devices.

C. A curb stop shall be placed on every service pipe, and shall be located between the curb line and the property line where this is practicable. Each curb stop shall be so located that it is easily accessible and shall be protected from frost. (Ord. 2013-5 § 4: Ord. 2009-03 § 1: Ord. 1993-2 § 1 (part): prior code § 52.07)

(2013-5, Amended, 01/28/2013, Added Paragraph C for curb stop; 2009-03, Amended, 02/23/2009, Added Paragraph B for tracer wires/tape)

Section 13.04.080 Water meter required.

A. All Water to be Metered. All permanent water services hereafter installed, and all water services presently existing but not metered, shall be metered by a water meter acceptable and approved by the City.

B. Cost. All water meters of less than one-inch installed in connection with water services hereafter installed, or presently existing but not metered, shall be furnished by the City. All water meters of one inch or more shall be purchased by the developer or other owner. All such meters shall conform to size and brand name specifications met and approved by the City Council.

C. Ownership and Maintenance. Following installation, the developer or other owner shall transfer ownership of one-inch meters to the City at no cost to the City. After transfer of ownership, the City will assume all maintenance and/or repair and replacement of same as needed and determined by the City, however, the City shall charge the following fees for the testing of water meters at the request of a customer if the meter is found to be three percent (3%) or less in accuracy:

For water meters with a yoke - \$30.00;

For water meters with a straight connect - \$50.00.

D. This section shall apply to all consumers regardless of the type of consumer or nature of use. (Ord. 2013-5 § 5: Ord. 2006-08A § 24: Ord. 2003-9 § 13: Ord. 1999-15 § 5: Ord. 1995-17 § 1 (part): Ord. 1993-2 § 1 (part): prior code § 52.08)

(2013-5, Amended, 01/28/2013, Amended Paragraph C; 2006-08A, Amended, 03/13/2006, Changed fees for testing water meters; 03-9, Sec. 13, Amended, 04/28/2003, Changed fees for testing water meters; 99-15, Sec. 5, Amended, 03/08/1999, Added text to last sentence of Paragraph C (fee for testing at request of customer))

Section 13.04.090 Reading meters.

Each month the Utility Supervisor shall read, or cause to be read, every water meter used in the City so that the bills may be sent out at the proper time. (Ord. 2001-59 § 6: Ord. 1993-2 § 1 (part): prior code § 52.09)

(2001-59, Amended, 11/13/2001, Change to Utility Supervisor)

Section 13.04.100 Rates for water service.

A. Effective for all bills processed on or after May 1, 2015, all property upon which any building has been erected, or may hereafter be erected, or any other site, having a connection with the City water system, shall pay the following rates per month or each fraction thereof:

Water Rates	Users Inside City Limits	Residential Users Outside City Limits	Watergate & Non-Residential Users Outside City Limits
First 2,000 gal. or min. charge	\$10.49	\$15.74	\$13.11
Next 48,000 gal. consumption	\$0.411/100 gal.	\$0.617/100 gal.	\$0.514/100 gal.
Next 50,000 gal. consumption	\$0.354/100 gal.	\$0.531/100 gal.	\$0.443/100 gal.
Next 150,000 gal. consumption	\$0.293/100 gal.	\$0.440/100 gal.	\$0.366/100 gal.
All over 250,000 gal. consumption	\$0.227/100 gal.	\$0.341/100 gal.	\$0.284/100 gal.

Effective for all bills processed on or after February 18, 2016, Watergate shall pay the following rates per month or each fraction thereof: a debt service/capital improvement charge of \$1.75, a billing fee of \$1.06, and \$0.514/100 gallons of water used.

Effective for all bills processed on or after May 1, 2016, all property upon which any building has been erected, or may hereafter be erected, or any other site, having a connection with the City water system, shall pay the following rates per month or each fraction thereof:

Water Rates	Users Inside City Limits	Residential Users Outside City Limits	Non- Residential Users Outside City Limits
First 2,000 gal. or min. charge	\$11.07	\$16.61	\$13.84
Next 48,000 gal. consumption	\$0.431/100 gal.	\$0.647/100 gal.	\$0.539/100 gal.
Next 50,000 gal. consumption	\$0.371/100 gal.	\$0.557/100 gal.	\$0.464/100 gal.
Next 150,000 gal. consumption	\$0.309/100 gal.	\$0.464/100 gal.	\$0.386/100 gal.
All over 250,000 gal. consumption	\$0.242/100 gal.	\$0.363/100 gal.	\$0.303/100 gal.

Effective for all bills processed on or after May 1, 2016, Watergate shall pay the following rates per month or each fraction thereof: a debt service/capital improvement charge of \$2.75, a billing fee of \$1.06, and \$0.539/100 gallons of water used.

B. Effective for all bills processed on or after May 1, 2015, the rate for water service to other municipalities and water districts which resell water purchased from the City shall be \$0.316 per one hundred (100) gallons, rather than the foregoing rates. Effective for all bills processed on or after May 1, 2016, the rate for water service to other municipalities and water districts which resell water purchased from the City shall be \$0.335 per one hundred (100) gallons, rather than the foregoing rates.

C. Effective for all bills processed on or after May 1, 2014, each user shall also pay, in addition to the foregoing water rates, a billing fee of one dollar and six cents (\$1.06) per month, said billing fee to be included on each individual water bill.

D. The adequacy of the water service charge shall be reviewed, not less often than annually, by Certified Public Accountants for the City in their annual audit report. The water service charge shall be revised periodically to reflect a change in local capital costs or O, M, & R costs.

E. Access to Records: The IEPA or its authorized representative shall have access to any books, documents, papers and records of the City which are applicable to the City system of water service charges for the purpose of making audit, examination, excerpts and transcriptions thereof to insure compliance with the terms of the Loan Agreement and Rules or any State Loan.

F. The rate for water purchased from water machines in Bower Park and the Olney City Park shall be One Dollar (\$1.00) for each one hundred (100) gallons.

G. The set up fee for a two-inch (2") portable meter shall be fifty dollars (\$50.00). The set up fee for a three-fourths inch (3/4") portable meter shall be thirty dollars (\$30.00). The rate for water metered by a portable meter shall be one dollar (\$1.00) for each one hundred (100) gallons.

H. Debt Service/Capital Improvement Charge. Effective for all bills processed on or after May 1, 2014, a debt service/capital improvement charge of seventy-five cents (\$0.75) per month to each user of the water system of the City is established. Effective for all bills processed on or after May 1, 2015, a debt service/capital improvement charge of one dollar and seventy-five cents (\$1.75) per month to each user of the water system of the City is established. Effective for all bills processed on or after May 1, 2016, a debt service/capital improvement charge of two dollars and seventy-five cents (\$2.75) per month to each user of the water system of the City is established. (Ord. 2016-04 § 1: Ord. 2015-17 § 1: Ord. 2014-08 § 1: Ord. 2013-5 § 6: Ord. 2012-40 § 1: Ord. 2009-13 § 1: Ord. 2006-15 § 1: Ord. 2006-13 § 1: Ord. 2006-08A § 25: Ord. 2004-15 § 1: Ord. 2003-9 § 14: Ord. 2002-8 § 2: Ord. 2001-15 § 1: Ord. 2001-14 § 1: Ord. 1999-35 § 2: Ord. 1997-27 § 1: Ord. 1995-17 § 1 (part): Ord. 1993-2 § 1 (part): prior code § 52.10)

(2016-04, Amended, 02/22/2016, Added provisions for billing Watergate after February 18, 2016 and after May 1, 2016; 2015-17, Amended, 04/13/2015, Amended Rates for Service Outside City Limits (Par. A & B); 201408, Amended, 04/14/2014, Amend rates in Paragraphs A, B, C and add H; 2013-5, Amended, 01/28/2013, Amend Paragraph G - change rate for water metered by portable meter; 2012-40, Amended, 08/13/2012, Increase water rate in Par. F; 2009-13, Amended, 06/22/2009, Increased water rates in Par. A & B; 2006-15, Amended, 05/08/2006, Increased Water Billing Fee to \$1.13; 2006-13, Amended, 04/24/2006, Increased water rates in Par. A & B effective May 1, 2006; 2006-08A, Amended, 03/13/2006, Amend Rates in Par. F & Fees in Par. G; 2004-15, Amended, 04/26/2004, Amended water rates in Par. A & B for 2004 & 2005; 03-9, Sec. 14, Amended, 04/28/2003, Added Par. G to Sec. 13.04.100; 2002-8, Sec. 2, Amended, 03/11/2002, Added Par. F to Sec. 13.04.100; 2001-15, Amended, 04/23/2001, Amended water rates in Par. A & B for 2002 & 2003; 2001-14, Amended, 04/23/2001, Amended water rates in Par. A & B; 99-35, Sec. 2, Amended, 05/10/1999, Added Subsections D and E)

Section 13.04.110 Bills--Late charge, service charge, returned checks or payments.

A. Bills for water used shall be sent out monthly, and are to be paid by the fifth day of the following month. If a bill is not paid by the fifth day of the following month, the amount due thereafter shall be the amount of the current bill plus ten percent. The water supply may be shut off from any premises where the bill remains unpaid pursuant to established termination procedures. When shut off, water shall not be turned on until all back bills are paid or satisfactory arrangements made and payment of a service charge is made as follows:

1. A twenty-five dollar (\$25.00) service charge for reconnecting water service during regular working hours from seven a.m. to three-thirty p.m., Monday through Friday, except for approved holidays;

2. A seventy-five dollar (\$75.00) service charge for reconnecting water service after regular working hours, on weekends, and holidays.

The customer shall also pay an amount sufficient to bring the deposit on the account to the amount of the deposit required in Section 13.04.020. The customer shall also pay a supplemental deposit of ten dollars (\$10.00) if the water has been shut off or has been subject to disconnection or termination within the previous twelve months. A supplemental deposit shall not be required when the total of the deposit required in Section 13.04.020 and supplemental deposits total two hundred fifty dollars (\$250.00).

The foregoing service charges shall also be paid by a water customer when subject to disconnection or termination of water service even though the service cannot be disconnected or terminated because of a condition not under the control of the City, its employees or agents.

B. The service charge for disconnecting water service as a result of an emergency after regular working hours, on weekends, and on holidays shall be sixty-six dollars (\$66.00).

C. If the City receives a check or other form of payment from a water customer which is returned for any reason, the City shall notify the customer that the account must be settled within twenty-four (24) hours, excluding weekends and holidays. A service fee of thirty dollars (\$30.00) shall be charged for the returned check or payment and added to the amount originally owed. If the account is not settled within the twenty-four (24) hour period, the account will be considered delinquent and subject to disconnection and termination pursuant to established procedures.

D. The service charge for checking a customer's water service for a water leak is twenty-five dollars (\$25.00). However, the service charge shall not apply in the following circumstances: (1) when it is determined that the leak is the responsibility of the City or (2) when the customer's water service has not been checked for a water leak within the previous twelve (12) months. (Ord. 2012-14 § 3: Ord. 2011-53 § 1: Ord. 2006-22 § 3: Ord. 2006-08A § 26: Ord. 2003-9 § 15: Ord. 2002-8 § 3: Ord. 1998-37 § 8: Ord. 1993-2 § 1 (part): prior code § 52.11)

(2012-14, Amended, 04/09/2012, Amend Par. C - Service Fee for Returned Checks and Payments; 2011-53, Amended, 11/14/2011, Amend Par. 3 - Returned checks and payments; 2006-22, Amended, 07/24/2006, Add 2nd paragraph to A(2); 2006-08A, Amended, 03/13/2006, Increase Fees in Par. A (1) & (2) and add Par. D; 03-9, Sec. 15, Amended, 04/28/2003, Amend Par. C - Service Fee for Bad Check is \$25.00; 2002-8, Sec. 3, Amended, 03/11/2002, Amend Sec. 13.04.110)

Section 13.04.120 Location of meters.

All domestic water meters shall be placed just inside the frontage of the prospective property, and installed in an approved type tile with cover, with an approved type yoke having a shut-off valve. Commercial water meters may be placed inside the building at a convenient place for examining and reading if said building is unlocked during normal daylight working hours. City employees and agents shall have the right of ingress and egress for the purpose of examining, inspecting and reading all water meters, and the water service shall be shut off and discontinued as to all parties denying this right to City employees and agents. (Ord. 1993-2 § 1 (part): prior code § 52.12)

Section 13.04.130 Meter repairs.

All water users shall install meters to comply with Section 13.04.080 and shall keep any meter over 1-inch in repair so as to correctly register the water passing through the service pipe. The City may request a water user with a meter over 1-inch to have the meter tested for accuracy. If, upon testing, the meter is found to be three percent (3%) or less in accuracy, the City will pay for the test. If the meter is found to be over three percent (3%) off in accuracy, the water user shall pay for the test and repair or replace the meter. Upon failure to do so the City shall give written notice thereby to the user, and if repairs are not made within thirty (30) days of notice, it shall be the duty of the Utility Supervisor to shut off and discontinue the water service to the user. (Ord. 2013-5 § 7: Ord. 2001-59 § 7: Ord. 1993-2 § 1 (part): prior code § 52.13)

(2013-5, Amended, 01/28/2013, Amended paragraph; 2001-59, Amended, 11/13/2001, Change to Utility Supervisor)

Section 13.04.140 Petition for water main extension.

All petitions for extension by the City of a water main for one block or more shall be filed with the Clerk, with an attached plat prepared and certified by a competent abstractor, showing the footage and ownership of the frontage of both sides of the proposed water main extension. (Ord. 1993-2 § 1 (part): prior code § 52.14)

Section 13.04.150 Water main extensions.

Any person developing or owning property desiring an extension of a water main shall have the plans for such extension prepared by a licensed professional engineer and such plans shall be submitted to the City Engineer for his or her review and approval. The construction, installation and connection to the City mains shall be at the expense of the property owner or developer. Such construction, installation and connection shall at all times be subject to the inspection and supervision of the City Engineer. (Ord. 1993-2 § 1 (part): prior code § 52.15)

Section 13.04.160 Tap-in fees.

The tap-in fees shall be three hundred dollars (\$300.00) per inch of diameter of the tap-in with a minimum charge of three hundred dollars (\$300.00) for any tap-in of less than one inch diameter. However, the minimum charge for any tap-in outside the City limits shall be one thousand five hundred dollars (\$1,500.00) for any tap-in of one inch diameter or less. A re-tap fee of one hundred dollars (\$100.00) shall be paid for any tap-in made as a replacement for an existing line. (Ord. 2003-9 § 16: Ord. 2002-8 § 4: Ord. 1998-37 § 9: Ord. 1995-17 § 1 (part): Ord. 1993-2 § 1 (part): prior code § 52.16) (2003-9, Sec. 16, Amended, 04/28/2003, Change re-tap fee from \$50 to \$100; 2002-8, Sec. 4, Amended, 03/11/2002, Amend Sec. 13.04.160)

Section 13.04.170 Standards of materials.

A. The water extension lines shall be cast iron Class 22 or ductile iron Class 52 approved by the American Waterworks Association, and shall conform to the American Society of Testing Materials Standards.

B. All tap-in, repairs and extensions of the City water system must utilize cast iron or ductile iron and plastic pipe meeting the following specifications, to-wit:

1. AWWA C-900, bell end-gasket joint, NSF;
2. Approved, two hundred (200) PSI working pressure.

C. All water mains shall be installed with tracer wires or tracer tape to allow location with standard

metal line locating devices. (Ord. 2009-03 § 2; Ord. 1993-2 § 1 (part): prior code § 52.17)
(2009-03, Amended, 02/23/2009, Add Paragraph C to require tracer wires/tape)

Section 13.04.180 Miscellaneous regulations.

A. Not more than one building or business shall be served from any one water main tap-in and no tap shall be permitted to any water line less than four inches in diameter.

B. No water main extensions shall be permitted outside the City limits with the exception of those approved by special ordinances adopted by the City Council.

C. All water main extensions on City property shall be no less than six inch diameter and the City Engineer shall specify extensions to be oversized in order to comply with the master engineering plan for the City. The City will be responsible to pay for the difference in the cost of material only for such oversizing.

D. Fire hydrants shall be installed in connection with such extension at approximately four hundred fifty (450) feet intervals or with no part of a building being further than two hundred fifty (250) feet from a fire hydrant.

E. All water main extensions on City property shall be installed under the supervision of the City Engineer or his or her authorized agent. (Ord. 1993-2 § 1 (part): prior code § 52.18)

Section 13.04.185 Inspection.

Right of Access; Use Inspection. The City of Olney and its employees and the Illinois Environmental Protection Agency shall have ready access at all reasonable times to the premises, places or buildings where water service is supplied for the purpose of inspecting, examining and testing the consumption, use and flow of water, and it shall be unlawful for any person to interfere with, prevent or obstruct the City of Olney or its duly authorized agent or the Illinois Environmental Protection Agency in its duties hereunder. Every user of the system shall take the same upon the conditions prescribed in this Section. (Ord. 2013-5 § 8)

(2013-5, Added, 01/28/2013, New section.)

Section 13.04.190 Water bills.

A. All multiple-family dwelling units served by only one water meter shall have their monthly water bill calculated as if each dwelling unit was served by its own separate meter; i.e., the monthly consumption is divided by the number of dwelling units in the complex and that figure is used to calculate a water bill for one dwelling unit. That amount is then multiplied by the number of dwelling units in the complex to arrive at the bill for the multiple-family complex.

B. Those multiple units on one meter which shall be exempt from the above provisions are: (1) the hospital and clinic; (2) nursing homes and extended care facilities; (3) motels and hotels catering exclusively to transient trade; (4) schools; (5) boarding houses where boarders have only their own bedroom facilities. (Ord. 1993-2 § 1 (part): prior code § 52.19)

Section 13.04.200 Liens claim.

A. Charges for water and sewer service shall be a lien upon the premises as provided by statute. Whenever a bill for water or sewer services remains unpaid sixty (60) days after it has been rendered, the Clerk may file with the Recorder of Richland County a notice of lien claim. This notice shall consist of a sworn statement setting out (1) a description of such real estate sufficient for the identification thereof, (2) the amount of money for such service, and (3) the date when such amount became delinquent. The City Clerk shall send a copy of the notice of lien to the owner or owners of record of the real estate, as

referenced by the taxpayer's identification number. The lien shall be released only upon the payment of the entire amount for which the lien was filed plus filing fees.

B. Prior to filing a notice of lien claim with the Recorder of Richland County, the City Clerk shall send to the owner or owners of record, as referenced by the taxpayer's identification number, of the real estate (i) a copy of each delinquency notice sent to the person who is delinquent in paying the charges or rates or other notice sufficient to inform the owner or owners of record, as referenced by the taxpayer's identification number, that the charges or rates have become delinquent and (ii) a notice that unpaid charges or rates may create a lien on the real estate under this paragraph. The notice shall be sent no later than the day after the water service is to be disconnected or terminated for nonpayment, or, in the case of a closed account, the day after a delinquent notice is sent to the customer. (Ord. 2006-22 § 4: Ord. 1993-2 § 1 (part): prior code § 52.20)
(2006-22, Amended, 07/27/2006, Amend Paragraphs A & B)

Section 13.04.210 Foreclosure of liens.

A. Property subject to a lien for unpaid water and sewer charges shall be sold for payment of the same, and the proceeds of such sale shall be applied to pay the charges after deducting costs, as in the case of the foreclosure of statutory liens. Each foreclosure shall be by suit in equity in the name of the City.

B. The Corporation Council is authorized and directed to institute such proceedings, in the name of the City, in any court having jurisdiction over such matters, against any property for which a water and sewer bill has remained unpaid sixty (60) days after it has been rendered. (Ord. 1993-2 § 1 (part): prior code § 52.21)

Section 13.04.220 Tap or extension to be within the corporate limits of the City.

No person, firm or corporation shall be permitted to tap into, make connections, or extend the water mains of the City unless the property to be served by such tap or extension is within the corporate limits of the City, except as provided in Section 13.04.230. (Ord. 1993-2 § 1 (part): prior code § 52.22)

Section 13.04.230 Connection, extension or water service within corporate limits only-Exceptions.

A. No person, firm or corporation shall be permitted to make connection or extend the water lines of the City or obtain water service, unless the property to be served is within the corporate limits of the City, except as provided in subsection B of this section.

B. No customer or owner(s) of property located outside the corporate limits of the City, but not contiguous to the corporate limits of the City, may be permitted to connect to the City's waterworks system, obtain water service, or continue water service after being shut off for non-payment, unless the owner(s) of the property and, the customer, if a tenant, enter into a Contract for Utility Services with the City which shall consist of certain provisions, including, but not limited to, the following:

1. The City agrees to provide water service to the property described in the Contract for Utility Services.

2. The property shall be identified by a street address and a parcel identification number used by Richland County for property tax purposes.

3. The customer and/or owner(s) of the property agree to the terms and conditions set forth in Chapters 12.04 (Water Service System) and 12.12 (Residential Utility Service Termination) as may be amended from time to time.

4. The customer and/or owner(s) of the property agree to pay the fees for water service as may be established from time to time for all properties located outside the corporate limits of the City.

5. The owner(s) of the property agree to file a Petition for Annexation of the property with the City of Olney within three months of written notice from the City of Olney that the property is contiguous to the corporate limits of the City. Failure to file the Petition for Annexation within the required three months shall result in the termination of water service to the property.

The City Manager or his designee is authorized to execute the Contract for Utility Services on behalf of the City of Olney. (Ord. 2011-10 § 1: Ord. 1995-17 § 1 (part): Ord. 1993-2 § 1 (part): prior code § 52.23)

(2011-10, Amended, 02/28/2011, Amend entire section)

Section 13.04.235 Liability.

A. Services Failures: All waterworks service supplied by the waterworks system shall be upon the express condition that the City of Olney shall not be liable nor shall any claim be made against it for damages or injury caused by reason of the breaking of any main, branches, service pipes, apparatus or appurtenances connected with said system or any part or portion thereof, or for any interruption of the supply by reason of the breakage of machinery, or by reason of stoppage, alterations, extensions or renewals.

B. Service Interruption: The City of Olney reserves the right to shut off water at any time in the mains for the purpose of repairing, cleaning, making connections with or extensions to same, or for the concentrating of water in any part of the City of Olney in case of fire, and for restricting the use of water in case of deficiency in supply, including the suspension of the use of water for sprinkling lawns or gardens. No claim shall be made against the City of Olney by reason of the breaking of any service pipe or service stop, or damage arising from shutting off of water for repairing, laying or relaying mains, hydrants or other connections, or repairing any part of the water system, or from failure of the water supply, or by increasing the water pressure at any time, or from concentrated or restricted use of water as above. (Ord. 2013-5 § 8)

(2013-5, Added, 01/28/2013, New Section.)

Section 13.04.240 Violation--Penalty.

Whoever violates any provisions of this chapter shall be fined not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00) for each offense. Each day's violation shall constitute a separate offense. (Editorially amended pursuant to Ord. 2014-20 & § 1.08.030: Editorially amended during 1999 codification; Ord. 1993-2 § 1 (part): prior code § 52.99)

(2014-20, Amended, 06/23/2014, Amount of fines throughout code amended from \$60 to \$75)

Chapter 13.08

SEWER SERVICE SYSTEM

Sections:

- 13.08.00A Article I. Definitions
- 13.08.010 Definitions.
- 13.08.019A Article II. Use of Public Sewers Required
- 13.08.020 Depositing waste in unsanitary manner prohibited.
- 13.08.030 Discharging sewage or polluted water to natural outlets prohibited.
- 13.08.040 Private facilities for disposal of sewage prohibited.
- 13.08.050 Installation of toilet facilities--Connection with public sewer.
- 13.08.060 Sewage into storm sewers prohibited.
- 13.08.069A Article III. Private Sewage Disposal
- 13.08.070 Private sewage disposal systems permitted.
- 13.08.080 Permit required before construction.
- 13.08.090 Review by engineer and conditions imposed.
- 13.08.100 Operating permit required.
- 13.08.110 Specifications for private sewage disposal systems.
- 13.08.120 Connection to public sewer.
- 13.08.130 Responsibilities of owner.
- 13.08.140 Additional inspections.
- 13.08.150 Refusing access for inspections.
- 13.08.160 Procedures for making inspections.
- 13.08.170 Additional requirements.
- 13.08.179A Article IV. Building Sewers and Connections
- 13.08.180 Permit to use public sewer.
- 13.08.190 Compliance with federal, state and local standards.
- 13.08.200 Application for building sewer permits--Permit and inspection fees.
- 13.08.210 Conditions for issuance of building sewer permit.
- 13.08.220 Connection, extension or sewer service within corporate limits only--Exceptions.
- 13.08.230 Owner to pay costs and indemnify City.
- 13.08.240 Building sewer for each building.
- 13.08.250 New buildings serviced by old building sewers.
- 13.08.260 Specifications for construction of building sewers.
- 13.08.270 Elevation of building sewer.
- 13.08.280 Surface or ground water prohibited in public sanitary sewer.
- 13.08.290 Requirements for connection of building sewer into public sewer.
- 13.08.300 Notice to Utility Supervisor -- Supervision of connection.
- 13.08.310 Excavation requirements.
- 13.08.319A Article V. Use of the Public Sewers
- 13.08.320 Prohibited discharges into sanitary sewers.
- 13.08.330 Discharge of stormwater, industrial cooling water, and unpolluted water.
- 13.08.340 Prohibited discharges of waters or wastes into public sewers.
- 13.08.350 Prohibited substances, materials, waters and wastes.
- 13.08.360 Authority of Sewer Plant Supervisor regarding prohibited discharges.
- 13.08.370 Interceptors.
- 13.08.380 Maintenance of preliminary treatment or flow-equalizing facilities.
- 13.08.390 Installation and maintenance of control manholes.

- 13.08.400** **Measurements, tests and analyses of industrial wastes.**
- 13.08.410** **Standards for measurements, tests and analyses.**
- 13.08.420** **Special agreements or arrangements.**
- 13.08.430** **Protection of sewage works from damage.**
- 13.08.439A** **Article VI. Powers and Authority of Inspectors**
- 13.08.440** **Powers and authority of inspectors.**
- 13.08.450** **Responsibilities for work on private properties.**
- 13.08.460** **Easements.**
- 13.08.469A** **Article VII. Wastewater Service Charges and Payment**
- 13.08.470** **Basis for wastewater service charges.**
- 13.08.480** **Measurement of flow.**
- 13.08.490** **Debt service charge.**
- 13.08.500** **Billing charge and basic user rate.**
- 13.08.510** **Surcharge rates.**
- 13.08.520** **Computation of surcharge.**
- 13.08.530** **Computation of wastewater service charge.**
- 13.08.540** **Bills.**
- 13.08.550** **Returned checks and payments.**
- 13.08.560** **Delinquent bills.**
- 13.08.570** **Lien--Notice of delinquency.**
- 13.08.580** **Foreclosure of lien.**
- 13.08.590** **Revenues.**
- 13.08.600** **Accounts.**
- 13.08.610** **Notice of rates.**
- 13.08.620** **Access to records.**
- 13.08.629A** **Article VIII. Violation--Penalty**
- 13.08.630** **Violation--Penalty.**
- Section 13.08.00A** **Article I. Definitions**

Section 13.08.010 Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as provided in this section.

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

"Approving authority" means the Sewer Plant Supervisor.

"Basic user charge" means the basic assessment levied on all users of the public sewer system.

"BOD" (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty (20) degrees Centigrade, expressed in milligrams per liter.

"Building drain" means 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 feet (1.5 meters) outside the inner face of the building wall.

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

"Chapter" means this chapter.

"City" means the City of Olney.

"Combined sewer" means a sewer which is designed and intended to receive wastewater, storm, surface and ground water drainage.

"Commercial user" means and includes transient lodging, retail and wholesale establishments or

places engaged in selling merchandise or rendering services.

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

"Debt service charge" means the amount to be paid each billing period for payment of interest, principal, and coverage of outstanding debt (loan, bond, etc.) and shall be computed by dividing the annual debt service by the number of users connected to the wastewater facilities.

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

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

"Effluent criteria" are defined in any applicable NPDES permit.

"Federal Act" means the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq) as amended by the Federal Water Pollution Control Amendments of 1972 (Pub. L. 92-500 and Pub. L. 93-243).

"Federal grant" means 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.

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

"Garbage" means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

"Industrial users" means and includes establishments engaged in manufacturing activities involving the mechanical or chemical transformation of materials or substance into products.

"Industrial waste" means 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.

"Institutional/governmental user" means and includes schools, hospitals, churches, penal institutions, and users associated with federal, state and local governments.

"Major contributing industry" means an industrial user of the publicly owned treatment works that: (1) has a flow of fifty thousand (50,000) gallons or more per average work day; or (2) has a flow greater than ten percent of the flow carried by the municipal system receiving the waste; or (3) has in its waste a toxic pollutant in toxic amounts as defined in standards issued under Section 307(a) of the Federal Act; or (4) is found by the permit issuance authority, in connection with the issuance of the NPDES permit to the publicly owned treatment works receiving the waste, to have significant impact, either singly or in combination with other contributing industries, on that treatment works or upon the quality of effluent from that treatment works.

"Milligrams per liter" means a unit of the concentration of water or wastewater constituent. It is 0.001 g of the constituent in one thousand (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.

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

"NPDES permit" means any permit or equivalent document or requirements issued by the Administrator, or, where appropriate, by the Director, after enactment of the Federal Water Pollution Control Amendments of 1972, to regulate the discharge of pollutants pursuant to Section 402 of the Federal Act.

"Person" means 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.

"pH" means the logarithm (base ten) of the reciprocal of the hydrogen-ion concentration expressed by one of the procedures outlined in standard methods.

"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 one hundred (100) gallons of sewage per day, containing 0.17 pounds of BOD and 0.20 pounds of suspended solids.

"ppm" means parts per million by weight.

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

"Properly shredded garbage" means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

"Public sewer" means a sewer provided by or subject to the jurisdiction of the City of Olney. It shall also include sewers within or outside the City of Olney boundaries that serve one or more persons and ultimately discharge into the City of Olney sanitary sewer system, even though those sewers may not have been constructed with City of Olney funds, when such sewers are eight inches or more in diameter and located on or in City-owned property, right-of-way or easements.

"Replacement" means expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the service life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.

"Residential user" means all dwelling units such as houses, mobilehomes, apartments, and permanent multifamily dwellings.

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

"Sewage" is used interchangeably with "wastewater."

"Sewer" means a pipe or conduit for conveying sewage or any other waste liquids, including storm, surface and ground water drainage.

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

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

Shall, May. Clarification of word usage: "Shall" is mandatory; "may" is permissive.

"Slug" means 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 times the average twenty-four (24) hour concentration or flows during normal operation.

"Standard methods" means the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water and Wastewater" published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.

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

"State grant" means 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.

"Stormwater runoff" means that portion of the precipitation that is drained into the sewers.

"Storm sewer" means a sewer that carries storm, surface and ground water drainage, but excludes sewage and industrial wastes other than unpolluted cooling water.

"Surcharge" means the assessment, in addition to the billing charge, 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 Sections 13.08.470--13.08.530.

"Suspended solids" means solids that either float on the surface of, or are in suspension in water, sewage or industrial waste, and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in standard

methods.

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

"Useful life" means the estimated period during which the collection system and/or treatment works will be operated and shall be thirty (30) years from the date of start-up of any wastewater facilities constructed with a federal/state grant.

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

"User class" means the type of user: residential, institutional/governmental, commercial or industrial as defined herein.

"Wastewater" means the spent water of a community. 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.

"Wastewater facilities" means the structures, equipment and processes required to collect, carry away, and treat domestic and industrial wastes and transport effluent to a watercourse.

"Wastewater service charge" means the charge per month levied on all users of the wastewater facilities. The service charge shall be computed as outlined in Sections 13.08.470 through 13.08.530 of this chapter and shall consist of the total of the billing charge, the basic user charge, the debt service charge, and a surcharge, if applicable.

"Wastewater treatment works" means an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes this term is used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "pollution control plant."

"Watercourse" means a channel in which a flow of water occurs, either continuously or intermittently.

"Water quality standards" are defined in the Water Pollution Regulations of Illinois. (Ord. 2001-59, Sec. 8: Ord. 87-10 § 1 (part): prior code §§ 25-1--25-14)
(2001-59, Amended, 11/13/2001, Change Approving Authority to Sewer Plant Supervisor)

Section 13.08.019A Article II. Use of Public Sewers Required

Section 13.08.020 Depositing waste in unsanitary manner prohibited.

It is unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City, or in any area under the jurisdiction of said City, any human or animal excrement, garbage, or other objectionable waste. (Ord. 87-10 § 1 (part): prior code § 25-21)

Section 13.08.030 Discharging sewage or polluted water to natural outlets prohibited.

It is unlawful to discharge to any natural outlet within the City, or in any area under the jurisdiction of said City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter. (Ord. 87-10 § 1 (part): prior code § 25-22)

Section 13.08.040 Private facilities for disposal of sewage prohibited.

Except as hereinafter provided, it is unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage. (Ord. 87-10 § 1 (part): prior code § 25-23)

Section 13.08.050 Installation of toilet facilities--Connection with public sewer.

A. The owner of all houses, buildings or properties used for human occupancy, employment, recreation, or other purposes situated within the City 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 City, is required at his or her 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 chapter within ninety (90) days after date of official notice to do so, provided that said public sewer is within two hundred (200) feet (sixty-one (61) meters) of the property line.

B. The facilities required in subsection A of this section may be connected to a private sewage disposal system if the property upon which the facilities are located is at least one acre in area and the building or buildings which shall be serviced by the private sewage disposal system are more than two hundred (200) feet (sixty-one (61) meters) from the public sewer. (Ord. 87-10 § 1 (part): prior code § 25-24)

Section 13.08.060 Sewage into storm sewers prohibited.

No person, firm or corporation shall discharge, or cause to be discharged, any sewage from septic tanks, cesspools or industrial waste into any storm sewer, or connect, or cause to be connected, any drain, fixture or device discharging polluting substances into any storm sewer in the City storm sewer system. (Ord. 87-10 § 1 (part): prior code § 25-25)

Section 13.08.069A Article III. Private Sewage Disposal

Section 13.08.070 Private sewage disposal systems permitted.

Where a public sanitary (or combined) sewer is not available under the provisions of Section 13.08.050, the building sewer shall be connected to a private sewage disposal system complying with the provisions of Sections 13.08.080 through 13.08.170. (Ord. 87-10 § 1 (part): prior code § 25-31)

Section 13.08.080 Permit required before construction.

Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Sewer Plant Supervisor. The application for such permit shall be made on a form furnished by the City (see Exhibit 25-2 attached to the ordinance codified in this chapter) which the applicant shall supplement by any plans, specifications, and other information as is deemed necessary by the City. A permit and inspection fee of fifty dollars (\$50.00) shall be paid to the City at the time the application is filed. (Ord. 06-08A § 27: Ord. 03-9 § 17: Ord. 01-59 § 9: Ord. 87-10 § 1 (part): prior code § 25-32)

(2006-08A, Amended, 03/13/2006, Change permit & inspection fee from \$30 to \$50; 03-9, Sec. 17, Amended, 04/28/2003, Change permit & inspection fee from \$25 to \$30; 2001-59, Amended, 11/13/2001, Change to Sewer Plant Supervisor)

Section 13.08.090 Review by engineer and conditions imposed.

The application and plans shall be reviewed by the City Engineer or his or her representative and such review shall be indicated thereon. Approval of said application and plans shall be subject to any conditions imposed by the City or the City Engineer and said conditions may include an agreement to obtain and maintain a service contract on the sewage disposal system and a requirement that a copy of said service contract be on file with the City. (Ord. 87-10 § 1 (part): prior code § 25-33)

Section 13.08.100 Operating permit required.

An operating permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Sewer Plant Supervisor. He or she shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the City when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within seventy-two (72) hours of the receipt of written notice by the Sewer Plant Supervisor. (Ord. 2001-59, Sec. 10: Ord. 87-10 § 1 (part): prior code § 25-34) (2001-59, Amended, 11/13/2001, Changed to Sewer Plant Supervisor)

Section 13.08.110 Specifications for private sewage disposal systems.

The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the state of Illinois Private Sewage Disposal Licensing Act and Code and with the state of Illinois Environmental Protection Agency. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than twenty thousand (20,000) square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet. (Ord. 87-10 § 1 (part): prior code § 25-35)

Section 13.08.120 Connection to public sewer.

At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 13.08.050, a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be cleaned of sludge and filled with clean bank-run gravel or dirt. (Ord. 87-10 § 1 (part): prior code § 25-36)

Section 13.08.130 Responsibilities of owner.

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times and at no expense to the City. (Ord. 87-10 § 1 (part): prior code § 25-37)

Section 13.08.140 Additional inspections.

Additional inspections of private sewage disposal systems, whether constructed or installed prior to or after the adoption of the ordinance codified in this chapter, shall be made as deemed necessary by the Sewer Plant Supervisor in order to insure the continued adequate operation of the system and to protect and promote the continued public health, safety, morals and welfare of the citizens of Olney. Should a system be found defective, more frequent inspections may be necessary to insure compliance. The fee for each inspection shall be fifty dollars (\$50.00). (Ord. 06-08A, Sec. 28: Ord. 03-9, Sec. 18: Ord. 02-8, Sec. 5: Ord. 01-59, Sec. 11: Ord. 87-10 § 1 (part): prior code § 25-38) (2006-08A, Amended, 03/13/2006, Inspection fee \$50.00; 03-9, Sec. 18, Amended, 04/28/2003, Inspection fee \$30.00; 2002-8, Sec. 5, Amended, 03/11/2002, Inspection fee \$25.00; 2001-59, Amended, 11/13/2001, Change to Sewer Plant Supervisor)

Section 13.08.150 Refusing access for inspections.

It is unlawful for a person, firm, corporation or partnership to refuse, without good cause, access to the premises by an employee of the City for the purpose of inspecting a private sewage disposal system

after receiving a notice of intent to inspect at least forty-eight (48) hours prior to the stated time of inspection. (Ord. 87-10 § 1 (part): prior code § 25-39)

Section 13.08.160 Procedures for making inspections.

Procedures for making inspections of private sewage disposal systems shall be as follows:

A. The inspector shall have or be provided with an up-to-date plat of the property showing the location of tanks, lines, buildings, wells, etc.

B. He or she shall flush an adequate amount of dye down the drain with sufficient water to force any color to surface within the system if a deficiency exists.

C. He or she shall walk over the entire area of the system looking particularly for water bubbling out of the ground, depressions to indicate a collapsed tile, and excessive brush or other vegetation which might indicate a root infestation.

D. He or she shall make a report of his or her inspection indicating the date and time of the inspection and his or her findings and submit two copies to the City. One copy of the report shall be mailed to the property owner along with the bill for the inspection fee. (Ord. 87-10 § 1 (part): prior code § 25-40)

Section 13.08.170 Additional requirements.

No statement contained in Sections 13.08.070 through 13.08.160 shall be construed to interfere with any additional requirements that may be imposed by the Richland County Health Officer. (Ord. 87-10 § 1 (part): prior code § 25-41)

Section 13.08.179A Article IV. Building Sewers and Connections

Section 13.08.180 Permit to use public sewer.

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 Utility Supervisor. (Ord. 2001-59, Sec. 12: Ord. 87-10 § 1 (part): prior code § 25-51)
(2001-59, Amended, 11/13/2001, Change to Utility Supervisor)

Section 13.08.190 Compliance with federal, state and local standards.

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. (Ord. 87-10 § 1 (part): prior code § 25-52)

Section 13.08.200 Application for building sewer permits--Permit and inspection fees.

A. There shall be two classes of building sewer permits: (1) for residential and commercial service; and (2) for service to establishments producing industrial wastes. In either case, the owner or his or her agent shall make application on a special form furnished by the City (see Exhibits 25-1 and 25-3 attached to the ordinance codified in this chapter). The application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Utility Supervisor. A permit and inspection fee of three hundred dollars (\$300.00) shall be paid to the City at the time the application is filed. An inspection fee of forty dollars (\$40.00) shall be paid to the City for any sewer tap

made to replace an existing sewer tap.

B. An industry, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics, and type of activity.

C. Whenever anyone privately, and at his or her own expense, constructs a sewer extension with a diameter of eight inches or larger and obtains state approval for such extension, the usual permit and inspection fee shall be waived for all footage fronting such new private sewer extension. The sewer main shall be extended to at least the center of the property before making a connection. (Ord. 06-08A, Sec. 29: Ord. 03-9, Sec. 19: Ord. 01-59, Sec. 13: Ord. 87-10 § 1 (part): prior code § 25-53)
(2006-08A, Sec. 29, Amended, 03/13/2006, Change inspection fee to \$40 in Par. A; 03-9, Sec. 19, Amended, 04/28/2003, Change permit & inspection fee to \$300; inspection fee of \$30 to replace existing sewer tap; 2001-59, Amended, 11/13/2001, Change to Utility Supervisor in Par. A)

Section 13.08.210 Conditions for issuance of building sewer permit.

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. (Ord. 87-10 § 1 (part): prior code § 25-54)

Section 13.08.220 Connection, extension or sewer service within corporate limits only--Exceptions.

A. No person, firm or corporation shall be permitted to make connections or extend the sanitary sewer lines of the City unless the property to be served by such connection or extension is within the corporate limits of the City, except as provided in subsection B of this section and upon payment of a fee of five hundred dollars (\$500.00) for each connection or extension, in addition to any other fees which may be required under the provisions of this chapter.

B. No customer or owner(s) of property located outside the corporate limits of the City, but not contiguous to the corporate limits of the City, may be permitted to connect to the City's sewerage system or obtain sewer service, unless the owner(s) of the property and, the customer, if a tenant, enter into a Contract for Utility Services with the City which shall consist of certain provisions, including, but not limited to, the following:

1. The City agrees to provide sewer service to the property described in the Contract for Utility Services.

2. The property shall be identified by a street address and a parcel identification number used by Richland County for property tax purposes.

3. The customer and/or owner(s) of the property agree to the terms and conditions set forth in Chapters 13.08 (Sewer Service System) as may be amended from time to time.

4. The customer and/or owner(s) of the property agree to pay the fees for sewer service as may be established from time to time for all properties located outside the corporate limits of the City.

5. The owner(s) of the property agree to file a Petition for Annexation of the property with the City of Olney within three months of written notice from the City of Olney that the property is contiguous to the corporate limits of the City. Failure to file the Petition for Annexation within the required three months shall result in the termination of sewer service to the property.

The City Manager or his designee is authorized to execute the Contract for Utility Services on behalf of the City of Olney. (Ord. 11-10 § 2: Ord. 87-10 § 1 (part): prior code § 25-55)
(2011-10, Amended, 02/28/2011, Amend entire section)

Section 13.08.230 Owner to pay costs and indemnify City.

All costs and expenses incident to the installation, connection and maintenance of the building sewer

from its point of connection to a public sewer to and including within the building shall be borne by the owner. All costs of repair or replacement of municipally owned facilities and utilities required in the installation, connection and maintenance of a building sewer from its point of connection to a public sewer to and including the owner's property shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation, connection and maintenance of the building sewer. (Ord. 2015-13 § 1: Ord. 87-10 § 1 (part): prior code § 25-56) (2015-13, Amended, 03/23/2015)

Section 13.08.240 Building sewer for each building.

A. 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.

B. No additional connection to a private sewer line, for which permit had been granted in the past, shall be made without an application therefor accompanied by the fee provided in this chapter. The minimum diameter for any sewer line shall be four inches where the sewer connection with the City sewer main serves only one residence, business establishment, or place of business. If a second connection is desired by a prospective new user whose property does not front a sewer line, and where it is impractical to extend a sewer main, the user will be required to increase the diameter of his or her sewer connection line from the point of junction with the line of the first residence, business establishment, or place of business to the City sewer main by at least two inches.

C. Should more than two connections to the City sewer system on one line be desired, it will be necessary to furnish the City a plat showing profile and plan of sewer extension. Any such extension connecting more than two residences, business establishments, or places of business shall have a minimum diameter of eight inches. (Ord. 87-10 § 1 (part): prior code § 25-57)

Section 13.08.250 New buildings serviced by old building sewers.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Utility Supervisor, to meet all requirements of this chapter. (Ord. 2001-59, Sec. 14: Ord. 87-10 § 1 (part): prior code § 25-58) (2001-59, Amended, 11/13/2001, Change to Utility Supervisor)

Section 13.08.260 Specifications for construction of building sewers.

A. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society of Testing Materials, Water Pollution Control Federation Manual of Practice No. 9, and Standard Specifications for Water and Sewer Main Construction in Illinois shall apply.

B. All sanitary sewer lines installed under the provisions of this chapter on public right-of-way or dedicated easements shall be of cast iron or ductile iron, extra-strength vitrified clay tile, or plastic pipe meeting the following specifications: ASTM D-3034 SDR 26, Type PSM poly vinyl chloride (PVC) sewer pipe, bell end-gasket joint.

C. All building sewers shall be installed with tracer wires or tracer tape to allow location with standard metal line locating devices. (Ord. 09-03 § 3; Ord. 88-40 § 1; Ord. 88-5 § 1; Ord. 87-10 § 1)

(part); prior code § 25-59)

(2009-03, Amended, 02/23/2009, Added Paragraph C to require tracing wires/tape)

Section 13.08.270 Elevation of building sewer.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by a means which is approved in accordance with Section 13.08.190 and discharged to the building sewer. (Ord. 87-10 § 1 (part): prior code § 25-60)

Section 13.08.280 Surface or ground water prohibited in public sanitary sewer.

No person or persons shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer. (Ord. 87-10 § 1 (part): prior code § 25-61)

Section 13.08.290 Requirements for connection of building sewer into public sewer.

A. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code, other applicable rules and regulations of the City, or the procedures set forth in appropriate specifications of the American Society of Testing Materials, Water Pollution Control Federation Manual of Practice No. 9, and Standard Specifications for Water and Sewer Main Construction in Illinois. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the City before installation.

B. Connections to the sewer mains of the City shall be made only by a plumber, and such connection shall be made at the exact place and of the size authorized and stated in the permit. Not more than one connection may be made under one permit.

C. All connections, repairs and extensions of the City sewer system must utilize cast iron or ductile iron, extra-strength vitrified clay tile, or plastic pipe meeting the following specifications: ASTM D-3034 SDR 26, Type PSM poly vinyl chloride (PVC) sewer pipe, bell end-gasket joint.

D. All sanitary sewer mains shall be installed with tracer wires or tracer tape to allow location with standard metal line locating devices. (Ord. 09-03 § 4; Ord. 88-40 § 2; Ord. 88-5 § 2; Ord. 87-10 § 1 (part): prior code § 25-62)

(2009-03, Amended, 02/23/2009, Added Paragraph D to require tracer wires/tape)

Section 13.08.300 Notice to Utility Supervisor -- Supervision of connection.

The applicant for the building sewer permit shall notify the Utility Supervisor when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Utility Supervisor or his or her representative. (Ord. 2001-59, Sec. 15: Ord. 87-10 § 1 (part): prior code § 25-63)

(2001-59, Amended, 11/13/2001, Change to Utility Supervisor)

Section 13.08.310 Excavation requirements.

All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City. (Ord. 87-10 § 1 (part):

prior code § 25-64)

Section 13.08.319A Article V. Use of the Public Sewers

Section 13.08.320 Prohibited discharges into sanitary sewers.

No person shall discharge, or cause to be discharged, any stormwater, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer. (Ord. 87-10 § 1 (part): prior code § 25-71)

Section 13.08.330 Discharge of stormwater, industrial cooling water, and unpolluted water.

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 Sewer Plant Supervisor. Industrial cooling water or unpolluted process waters may be discharged on approval of the Sewer Plant Supervisor, to a storm sewer, combined sewer, or natural outlet. (Ord. 2001-59, Sec. 16: Ord. 87-10 § 1 (part): prior code § 25-72)
(2001-59, Amended, 11/13/2001, Change to Sewer Plant Supervisor)

Section 13.08.340 Prohibited discharges of waters or wastes into public sewers.

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

- A. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas;
- B. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant;
- C. Any waters or wastes having a pH lower than six or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works;
- D. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, paper dishes, cups, etc., either whole or ground by garbage grinders. (Ord. 87-10 § 1 (part): prior code § 25-73)

Section 13.08.350 Prohibited substances, materials, waters and wastes.

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 Sewer Plant Supervisor 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 or her opinion as to the acceptability of these wastes, the Sewer Plant Supervisor 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 (150) degrees Fahrenheit

(sixty-five (65) degrees Centigrade);

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 (150) degrees Fahrenheit (zero and sixty-five (65) degrees Centigrade);

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

D. Any waters or wastes containing strong acid, iron pickling wastes, or concentrated plating solutions, whether neutralized or not;

E. Any waters or wastes containing iron, chromium, copper, zinc, or similar 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 Sewer Plant Supervisor 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 Sewer Plant Supervisor 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 Sewer Plant Supervisor in compliance with applicable state or federal regulations;

H. Any waters or wastes having a pH in excess of nine;

I. Any mercury or any of its compounds in excess of 0.0001 mg/l as Hg at any time except as permitted by the Sewer Plant Supervisor in compliance with applicable state and federal regulations;

J. Any cyanide in excess of 0.001 mg/l at any time except as permitted by the Sewer Plant Supervisor 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, or

4. Unusual volume of flow or concentrations of wastes 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. (Ord. 2001-59, Sec. 17: Ord. 87-10 § 1 (part); prior code § 25-74)

(2001-59, Amended, 11/13/2001, Change to Sewer Plant Supervisor)

Section 13.08.360 Authority of Sewer Plant Supervisor regarding prohibited discharges.

A. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 13.08.350 of this chapter, and/or which are in violation of the standards for pretreatment provided in Chapter 1, EPA Rules and Regulations, subchapter D, Water Programs Part 128 - Pretreatment Standards, Federal Register Volume 38, No. 215, Thursday, November 8, 1973 and any amendments thereto, and which in the judgment of the Sewer Plant Supervisor 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 Sewer Plant Supervisor may:

1. Reject the wastes;

2. Require pretreatment to an acceptable condition for discharge to the public sewers;

3. Require control over the quantities and rates of discharge; and/or
4. Require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 13.08.420 of this Chapter.

B. If the Sewer Plant Supervisor 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 Sewer Plant Supervisor and subject to the requirements of all applicable codes, ordinances and laws. (Ord. 2001-59, Sec. 18: Ord. 87-10 § 1 (part): prior code § 25-75)
(2001-59, Amended, 11/13/2001, Change to Sewer Plant Supervisor)

Section 13.08.370 Interceptors.

Grease, oil and sand interceptors shall be provided when, in the opinion of the Sewer Plant Supervisor, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, 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 Sewer Plant Supervisor and shall be located as to be readily and easily accessible for cleaning and inspection. (Ord. 2001-59, Sec. 19: Ord. 87-10 § 1 (part): prior code § 25-76)
(2001-59, Amended, 11/13/2001, Change to Sewer Plant Supervisor)

Section 13.08.380 Maintenance of preliminary treatment or flow-equalizing facilities.

Where preliminary treatment or flow-equalizing facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner at his or her expense. (Ord. 87-10 § 1 (part): prior code § 25-77)

Section 13.08.390 Installation and maintenance of control manholes.

Each industry shall be required to install a control manhole and, when required by the Sewer Plant Supervisor, 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 Sewer Plant Supervisor. The manhole shall be installed by the owner at his or her expense, and shall be maintained by him or her so as to be safe and accessible at all times. (Ord. 2001-59, Sec. 20: Ord. 87-10 § 1 (part): prior code § 25-78)
(2001-59, Amended, 11/13/2001, Change to Sewer Plant Supervisor)

Section 13.08.400 Measurements, tests and analyses of industrial wastes.

The owner of any property serviced by a building sewer carrying industrial wastes shall provide laboratory measurements, tests and analyses of waters and wastes to illustrate compliance with this chapter and any special conditions for discharge established by the City 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 City, but no less than once per year the industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with the federal, state and local standards are being met. The owner shall report the results of measurements and laboratory analyses to the City at such times and in such manner as prescribed by the City. The owner shall bear the expense of all measurements, analyses and reporting required by the City. At such times as deemed necessary, the City reserves the right to take measurements and samples for analysis by an outside laboratory service.

(Ord. 87-10 § 1 (part): prior code § 25-79)

Section 13.08.410 Standards for measurements, tests and analyses.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in Section 13.08.400 shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association and shall be determined at the control manhole provided or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. A twenty-four (24) hour composite sample will be taken at the sewage control manhole of the premises being sampled. (Ord. 87-10 § 1 (part): prior code § 25-80)

Section 13.08.420 Special agreements or arrangements.

No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefor, in accordance with Sections 13.08.470 through 13.08.530 of this chapter, by the industrial concern, provided such payments are in accordance with federal and state guidelines for user charge system. (Ord. 87-10 § 1 (part): prior code § 25-81)

Section 13.08.430 Protection of sewage works from damage.

No unauthorized person shall maliciously, wilfully 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. (Ord. 87-10 § 1 (part): prior code § 25-91)

Section 13.08.439A Article VI. Powers and Authority of Inspectors

Section 13.08.440 Powers and authority of inspectors.

A. The Sewer Plant Supervisor and the Utility Supervisor and other duly authorized employees of the City, the Illinois Environmental Protection Agency, and the U.S. Environmental Protection Agency, bearing proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this chapter. The Sewer Plant Supervisor and the Utility Supervisor or his or her 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, waterway or facilities for waste treatment.

B. The following services shall be provided by the City at the stated costs:

- Flushing sewer laterals - \$125.00 per hour
- Televising sewer laterals - \$125.00 per hour
- Dyeing and smoking sewer laterals - \$50.00
- Sewage dumping fees (per 100 gals.) - \$2.00

(Ord. 11-19 § 1: Ord. 06-08A § 30: Ord. 03-9 § 20: Ord. 01-59 § 21: Ord. 87-10 § 1 (part): prior code § 25-101)
(2011-19, Amended, 04/25/2011, Amend fees in Paragraph B; 2006-08A, Sec. 30, Amended, 03/13/2006, Amend Fees in Paragraph B; 03-9, Sec. 20, Amended, 04/28/2003, Add Paragraph B; 2001-59, Amended, 11/13/2001, Change to Sewer Plant Supervisor and Utility Supervisor)

Section 13.08.450 Responsibilities for work on private properties.

While performing the necessary work on private properties referred to in Section 13.08.440, the Sewer Plant Supervisor and the Utility Supervisor or duly authorized employees of the City, 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. The company shall be held harmless for injury or death to the City employees and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Section 13.08.390. (Ord. 2001-59, Sec. 22: Ord. 87-10 § 1 (part): prior code § 25-102)
(2001-59, Amended, 11/13/2001, Change to Sewer Plant Supervisor and add Utility Supervisor)

Section 13.08.460 Easements.

The Sewer Plant Supervisor and the Utility Supervisor and other duly authorized employees of the City, bearing proper credentials and identification, shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within 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. (Ord. 2001-59, Sec. 23: Ord. 87-10 § 1 (part): prior code § 25-103)
(2001-59, Amended, 11/13/2001, Change to Sewer Plant Supervisor and add Utility Supervisor)

Section 13.08.469A Article VII. Wastewater Service Charges and Payment

Section 13.08.470 Basis for wastewater service charges.

A. The wastewater service charge for the use of and for service supplied by the waste facilities of the City shall consist of a billing charge, a basic user charge for operation and maintenance plus replacement, a debt service charge, and a surcharge, if applicable.

B. The debt service charge shall be computed by dividing the annual debt service of all outstanding revenue bonds by the number of users. Through further divisions, the monthly and quarterly debt service charges can be computed.

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

1. A five-day, twenty (20) degree centigrade biochemical oxygen demand (BOD) of two hundred (200) mg/l;

2. A suspended solids (SS) content of two hundred fifty (250) mg/l.

D. The basic user charge shall consist of operation and maintenance costs plus replacement and shall be computed as follows:

1. Estimate the projected annual revenue required to operate and maintain the wastewater facilities, including a replacement fund for the year, for all works categories.

2. Proportion the estimated costs to wastewater facility categories by volume, suspended solids, and BOD, if possible.
3. Estimate wastewater volume, pounds of SS, and pounds of BOD to be treated.
4. Proportion the estimated costs to nonindustrial and industrial users by volume, suspended solids, and BOD.
5. Compute costs per one hundred (100) gallons for normal sewage strength.
6. Compute surcharge costs per one thousand (1,000) gallons per mg/l in excess of normal sewage strength for BOD and SS.
 - E. A surcharge will be levied to users whose waters exceed the normal concentrations for BOD (two hundred (200) mg/l) and SS (two hundred fifty (250) mg/l). The surcharge will be based on water usage as recorded by water meters and/or sewage meters for all wastes which exceed the two hundred (200) mg/l and two hundred fifty (250) mg/l concentration for BOD and SS, respectively. Section 13.08.520 specifies the procedure to compute a surcharge.
 - F. The adequacy of the wastewater service charge shall be reviewed annually by certified public accountants for the City in their annual audit report. The wastewater service charge shall be revised periodically to reflect a change in debt service or a change in operation and maintenance costs, including replacement costs. (Ord. 87-10 § 1 (part): prior code § 25-111)

Section 13.08.480 Measurement of flow.

- A. The volume of flow used for computing basic user charges and surcharges shall be the metered water consumption read to the lowest even increments of one hundred (100) gallons.
- B. If the person discharging wastes into the public sewers procures any part, or all, of his or her water from sources other than the public waterworks system, all or a part of which is discharged into the public sewers, the person shall install and maintain, at his or her expense, water meters of a type approved by the Utility Supervisor for the purpose of determining the volume of water obtained from these other sources.
- C. Devices for measuring the volume of waste discharged may be required by the Utility Supervisor if these volumes cannot otherwise be determined from the metered water consumption records.
- D. Metering devices for determining the volume of waste shall be installed, owned and maintained by the person. Following approval and installation, such meters may not be removed, unless service is cancelled, without the consent of the Utility Supervisor. (Ord. 2001-59, Sec. 24: Ord. 87-10 § 1 (part): prior code § 25-112)
(2001-59, Amended, 11/13/2001, Changed Sewer Superintendent to Utility Supervisor)

Section 13.08.490 Debt service charge.

- A debt service charge of two dollars and seventy-five cents (\$2.75) per month to each user of the wastewater facility of the City is established. (Ord. 20-05 § 1: Ord. 92-27 § 1: Ord. 87-10 § 1 (part): prior code § 25-113)
(2010-05, Amended, 01/25/2010, Debt service change from \$3.98 to \$2.75)

Section 13.08.500 Billing charge and basic user rate.

- A. There shall be and there is established a billing charge and a basic user rate for the use of and for service supplied by the wastewater facilities of the City.
- B. Effective for all bills processed on or after May 1, 2014, a billing charge of one dollar and six cents (\$1.06) per month shall be applied to all users.
- C. (1) Effective for all bills processed on or after May 1, 2014, a basic user rate shall be applied to all users, as follows:

User Class	Basic User Rate
Residential	\$0.336 per 100 gallons
Commercial	0.336 per 100 gallons
Industrial	0.336 per 100 gallons
Institutional/governmental	0.336 per 100 gallons

C. (2) Effective for all bills processed on or after May 1, 2015, a basic user rate shall be applied to all users, as follows:

User Class	Basic User Rate
Residential	\$0.349 per 100 gallons
Commercial	0.349 per 100 gallons
Industrial	0.349 per 100 gallons
Institutional/governmental	0.349 per 100 gallons

C. (3) Effective for all bills processed on or after May 1, 2016, a basic user rate shall be applied to all users, as follows:

User Class	Basic User Rate
Residential	\$0.363 per 100 gallons
Commercial	0.363 per 100 gallons
Industrial	0.363 per 100 gallons
Institutional/governmental	0.363 per 100 gallons

(Ord. 14-08 § 2: Ord. 10-05 § 2: Ord. 07-10, § 1: Ord. 06-15, § 2: Ord. 06-13, § 2: Ord. 04-15, § 2: Ord. 01-16, § 1: Ord. 92-27 § 2: Ord. 87-10 § 1 (part): prior code § 25-114)
 (2014-08, Amended, 04/14/2014, Increase billing charge & basic user rate in 2014, 2015 & 2016; 2010-05, Amended, 01/25/2010, Increase basic user rate ; 2007-10, Amended, 04/23/2007, Increase billing charge & basic user rate; 2006-15, Amended, 05/08/2006, Increase Billing Fee 5/1/2006; 2006-13, Amended, 04/24/2006, Increased sewer rates 5/1/2006; 2004-15, Sec. 2, Amended, 04/26/2004, Increased sewer rates 5/2004 & 5/2005; 2001-16, Amended, 04/23/2001, Increased sewer rates 5/2001, 5/2002 & 5/2003)

Section 13.08.510 Surcharge rates.

The rates of surcharges for BOD₅ and SS shall be as follows:

- A. \$0.045 per pound BOD;
- B. \$0.045 per pound SS. (Ord. 87-10 § 1 (part): prior code § 25-115)

Section 13.08.520 Computation of surcharge.

The concentration of wastes used for computing surcharges shall be established by waste sampling. Waste sampling shall be performed as often as may be deemed necessary by the Sewer Plant Supervisor and shall be binding as a basis for surcharges. Grab or composite sampling may be used as determined by the Sewer Plant Supervisor. (Ord. 2001-59, Sec. 25: Ord. 87-10 § 1 (part): prior code § 25-116)
 (2001-59, Amended, 11/13/2001, Change to Sewer Plant Supervisor)

Section 13.08.530 Computation of wastewater service charge.

The wastewater service charge shall be computed by the following formula:

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

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

CD = Debt service charge (Section 13.08.490)

CM = Billing charge (Section 13.08.500)

Vu = Wastewater volume for the billing period

CU = Basic user rate for operation, maintenance and replacement (Section 13.08.500)

CS = Amount of surcharge (Sections 13.08.510 and 13.08.520)

(Ord. 87-10 § 1 (part): prior code § 25-117)

Section 13.08.540 Bills.

A. The rates or charges for sewer service shall be payable monthly. The bills for sewer service shall be made along with the bills for water service.

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

Bills for sewer service shall be sent out by the City Clerk of the City no later than ten days prior to the fifth of the month succeeding the period for which the service is billed.

All sewer bills are due and payable on the fifth day of the succeeding month. A penalty of ten percent shall be added to all bills not paid by the fifth day of the succeeding month.

C. All multiple-family dwelling units served by one water meter shall have their monthly sewer bill calculated as follows: (1) the basic user rate shall be computed pursuant to Section 13.08.500(C); (2) the debt service charge shall consist of the debt service rate provided in Section 13.08.490 multiplied by the number of dwelling units in the multiple-family complex; and (3) only one billing charge shall be billed to a multiple-family complex served by only one water meter.

D. Those multiple units on one meter which shall be exempt from the above provisions are: (1) hospital and clinic; (2) nursing homes and extended care facilities; (3) motels and hotels catering exclusively to transient trade; (4) schools; and (5) boarding houses where boarders have only their own bedroom facilities. (Ord. 92-18 § 9; Ord. 87-10 § 1 (part): prior code § 25-131)

Section 13.08.550 Returned checks and payments.

If the City receives a check or other form of payment from a sewer customer which is returned for any reason, after being deposited, the City shall notify the customer that the account must be settled within twenty-four (24) hours, excluding weekends and holidays. A service fee of thirty dollars (\$30.00) shall be charged for the returned check or payment and added to the amount originally owed. If the account is not settled within the twenty-four (24) hour period, the account will be considered delinquent and subject to disconnection and termination pursuant to established procedures. (Ord. 12-14 § 4: Ord. 11-53 § 2: Ord. 03-9 § 21: Ord. 92-18 § 8: prior code § 25-118)

(2012-14, Amended, 04/09/2012, Increase fee for returned checks and payments from \$25 to \$30; 2011-53, Amended, 11/14/2011, Returned checks and payments; 03-9, Sec. 21, Amended, 04/28/2003, Bad check service fee - change from \$10 to \$25)

Section 13.08.560 Delinquent bills.

If the charges for such services are not paid by the due date on the fifth day of the month, such services shall be subject to termination pursuant to Chapter 13.12. Following termination of service, such service shall not be renewed until all back bills are paid and the payment of the service charge and deposit required in Section 13.04.110. (Ord. 06-22, Sec. 5: Ord. 87-10 § 1 (part): prior code § 25-132) (2006-22, Amended, 07/24/2006)

Section 13.08.570 Lien--Notice of delinquency.

Whenever a bill for sewer service remains unpaid for sixty (60) days after the date it is due and payable, the City Clerk of the City shall file with the County Recorder of Deeds a notice of lien claim. This notice shall consist of a sworn statement setting out (1) a description of such real estate sufficient for the identification thereof, (2) the amount of money for such service, and (3) the date when such amount became delinquent. The City Clerk shall send a copy of the notice of lien to the owner or owners of the real estate, as referenced by the taxpayer's identification number. The lien shall be released only upon the payment of the entire amount for which the lien was filed plus filing fees.

Prior to filing a notice of lien claim with the County Recorder of Deeds, the City Clerk shall send to the owner or owners of record, as referenced by the taxpayer's identification number, of the real estate (i) a copy of each delinquency notice sent to the person who is delinquent in paying the charges or rates or other notice sufficient to inform the owner or owners of record, as referenced by the taxpayer's identification number, that the charges or rates have become delinquent and (ii) a notice that unpaid charges or rates may create a lien on the real estate under this paragraph. The notice shall be sent no later than the day after the sewer service is to be disconnected or terminated for nonpayment, or, in the case of a closed account, the day after a delinquent notice is sent to the customer. (Ord. 06-22, Sec. 6: Ord. 92-18 § 10: Ord. 87-10 § 1 (part): prior code § 25-133) (2006-22, Sec. 6, Amended, 07/27/2006)

Section 13.08.580 Foreclosure of lien.

Property subject to a lien for unpaid charges shall be sold for nonpayment of the same and the proceeds of the sale shall be applied to pay the charges, after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosure shall be by bill-in-equity in the name of the City. The City Attorney for the City is authorized and directed to institute such proceedings in the name of the City in any court having jurisdiction over such matters against any property against which a lien has been filed. The City Attorney for the City is also authorized and directed to institute any other proceedings necessary to recover the money due for services rendered, plus a reasonable attorney's fee. (Ord. 87-10 § 1 (part): prior code § 25-134)

Section 13.08.590 Revenues.

All revenues and moneys derived from the operation of the sewerage system shall be deposited in the sewerage account of the sewerage fund. All such revenues and moneys shall be held by the Treasurer of the City separate and apart from his or her private funds and separate and apart from all other funds of the City, and all of said sum, without any deductions whatever, shall be delivered to the Treasurer of the City not more than ten days after receipt of the same, or at such more frequent intervals as may from time to time be directed by the Mayor and Council.

The Treasurer of the City shall receive all such revenues from the sewerage system and all other funds and moneys incident to the operation of such system as the same may be delivered to him or her and deposit the same in the account of the fund designated as the "Sewerage Fund of the City of Olney." Said Treasurer shall administer such fund in every respect in the manner provided by statute of the Illinois

Municipal Code of 1961, effective July 1, 1961. (Ord. 87-10 § 1 (part): prior code § 25-135)

Section 13.08.600 Accounts.

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

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

1. Flow data showing total gallons received at the wastewater plant for the current fiscal year;
2. Billing data to show total number of gallons billed;
3. Debt service for the next succeeding fiscal year;
4. Number of users connected to the system;
5. A list of users discharging nondomestic wastes (industrial users) and volume of waste discharged.

(Ord. 87-10 § 1 (part): prior code § 25-136)

Section 13.08.610 Notice of rates.

A copy of Sections 13.08.470 through 13.08.530, properly certified by the Treasurer of the City, shall be filed in the office of the Recorder of Deeds of Richland County and shall be deemed notice to all owners of real estate of the charges of the sewerage system of said City on their properties.

Each user will be notified, at least annually, in conjunction with a regular bill, of the rate and that portion of the user charges which are attributable to wastewater treatment services. (Ord. 87-10 § 1 (part): prior code § 25-137)

Section 13.08.620 Access to records.

The Illinois Environmental Protection Agency or its authorized representative shall have access to any books, documents, papers and records of the City which are applicable to the City system of user charges for the purpose of making audit, examination, excerpts and transcriptions thereof to insure compliance with the terms of the special and general conditions to any federal and/or state grant. (Ord. 87-10 § 1 (part): prior code § 25-138)

Section 13.08.629A Article VIII. Violation--Penalty

Section 13.08.630 Violation--Penalty.

A. Any person found to be violating any provisions of this chapter, except Section 13.08.430, shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

B. Any person who shall continue any violation beyond the time limit provided for in subsection A of this section shall upon conviction thereof be fined not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00) for each violation. Each day in which any such violation shall

continue shall be deemed a separate offense.

C. Any person violating any of the provisions of this chapter shall become liable to the City for any expense, loss, or damage incurred by the City by reason of such violation. (Editorially amended pursuant to Ord. 2014-20 & § 1.08.030: Editorially amended during 1999 codification; Ord. 87-10 § 1 (part): prior code § 25.999)

(2014-20, Amended, 06/23/2014, Amount of fines throughout code amended from \$60 to \$75)

Chapter 13.12

RESIDENTIAL UTILITY SERVICE TERMINATION

Sections:

- 13.12.010 Intent and purpose.
- 13.12.020 Scope.
- 13.12.030 Definitions.
- 13.12.040 Application for residential utility service.
- 13.12.050 Residential utility bill.
- 13.12.060 Residential customer information.
- 13.12.070 Deferred payment plan.
- 13.12.080 Residential customer dispute.
- 13.12.090 Office of Utility Hearing Examiner.
- 13.12.100 Utility service termination procedure.
- 13.12.110 Tenant's utility escrow fund.
- 13.12.120 Limitations on termination of utility service.
- 13.12.130 Reinstatement of utility service.
- 13.12.140 Authority to establish regulations.
- 13.12.150 Computation of time.

Section 13.12.010 Intent and purpose.

The City Council of the City of Olney finds and declares that the provisions of this chapter are enacted for the following reasons:

- A. To ensure timely and complete payment of all utility charges and all installments and surcharges arising from utility services supplied to residential customers;
- B. To regulate termination of utility services to residential customers for nonpayment of utility charges and/or installments and surcharges;
- C. To provide full and adequate notice to a residential customer of a termination of utility service to that customer and of the procedure to follow to avoid termination;
- D. To provide residential customers with a fair and reasonable opportunity, prior to termination, to dispute the correctness of utility charges and/or installments and surcharges;
- E. To provide a reasonable deferred payment plan to residential customers unable to timely and completely pay a utility charge;
- F. To standardize the contents of the utility bill, the notice of termination and other notices sent to residential customers;
- G. To regulate termination of utility services to residential customers for nonpayment of utility charges and/or installments and surcharges during inclement weather;
- H. To regulate termination of utility services to residential rental property for nonpayment of utility charges and/or installments and surcharges by the owner of the rental property. (Ord. 79-43 § 1)

Section 13.12.020 Scope.

The provisions of this chapter shall apply only to utility service supplied to residential customers residing both within and without the City limits of Olney. (Ord. 79-43 § 2)

Section 13.12.030 Definitions.

As used in this chapter:

"Residential customer" means a person, over seventeen (17) years of age or older, who acknowledges in a residential utility service application agreement form the responsibility to timely and completely pay all utility charges and all installments or surcharges arising from utility service applied to a residence. For purposes of this chapter, a tenant of residential rental property whose owner is contractually responsible for payment of utility charges arising from utility service applied to the tenant's rental unit is not a residential customer. (Ord. 06-22, Sec. 7: Ord. 79-43 § 3)

(2006-22, Sec. 7, Amended, 07/24/2006, added "or older" to age in definition of residential customer)

Section 13.12.040 Application for residential utility service.

A. Any resident of the City, or other person qualified and desiring utility service from the City, over seventeen (17) years of age or older, desiring utility service at a residence shall complete and submit to the utility at City Hall a residential utility service application and agreement. The application and agreement shall request the following information:

1. The name and signature of the applicant;
2. The residential address to be supplied utility service;
3. The prior residential address of the prospective residential customer;
4. The desired date for commencement of utility service; and
5. If the applicant is not the owner of the property for which service is being requested, the applicant must show a copy of a rental agreement, lease agreement or other evidence that the applicant has permission by the property owner to occupy the property.

B. The application and agreement form shall also contain the following:

1. Written assurance to the prospective residential customer that the customer shall receive, upon request, a copy of this chapter and all regulations promulgated under it (for which he or she will be charged a reasonable fee for copying);

2. Written acknowledgement by the prospective residential customer that, as the residential customer, he or she is responsible for the timely and complete payment of all utility charges and of all installments and surcharges arising from utility service supplied to the residence identified in the application and agreement form; and

3. If the prospective residential customer is the owner of the residential rental property for which he or she is seeking utility service, written consent by the prospective residential customer to the establishment, when necessary, of a tenant's utility escrow fund under Section 13.12.110.

C. The utility shall mail to the applicant (and the prospective residential customer, if different than the applicant) a notice stating whether utility service shall be supplied to the residence. If utility service shall be supplied, the notice shall state the date of its commencement. If utility service shall not be supplied, the notice shall state reasons why service shall not be supplied. If possible, the utility may hand such notice to the customer when at City Hall.

D. Utility service shall not be supplied to any prospective residential customer if that person has any outstanding and unpaid utility charges and/or installments and surcharges arising from prior utility service to this prospective residential customer. (Ord. 06-22, Sec. 8: Ord. 79-43 § 4)

(2006-22, Sec. 8, Amended, 07/24/2006, New sub-paragraphs 4 & 5 in Par. A)

Section 13.12.050 Residential utility bill.

A residential utility bill shall be mailed every thirty (30) days, more or less, to every residential customer for the utility service supplied during the time period shown on the utility bill. Each utility bill shall contain the following information:

- A. The time period of utility service covered by the utility bill;
- B. The utility charge and/or installment and surcharge due;
- C. The date of the utility bill;

D. The date when complete payment is due at the utility, which shall be at least ten days from the date of the utility bill;

E. Notice if the utility bill is based on an estimated measurement of the amount of utility service supplied rather than actual meter readings;

F. Notice that a utility charge shown on a utility bill which is based on an actual measurement, and which follows one or more bills based on estimated measurements, may be substantially higher than previous utility bills and higher than utility bills based on estimated measurements. (Ord. 79-43 § 5)

Section 13.12.060 Residential customer information.

City Hall shall provide information on the following:

A. The availability and operation of deferred payment plan;

B. The procedure to dispute a utility charge and/or an installment and surcharge;

C. The procedure to avoid termination of utility service due to nonpayment of utility charges and/or installments and surcharges;

D. The procedure for tenants to avoid termination of utility service due to their landlord's nonpayment of utility charges and/or installments and surcharges; and

E. The procedure to obtain reinstatement of utility service. (Ord. 79-43 § 6)

Section 13.12.070 Deferred payment plan.

A. Any residential customer, except those described in subsection B of this section who is unable to timely and completely pay a utility charge, may request, orally or in writing, that the utility establish for him or her a deferred payment plan to enable him or her to pay the utility charge and to avoid termination of utility service.

B. The following classes of residential customers are ineligible to request a deferred payment plan:

1. A residential customer whose utility service has been terminated for nonpayment of utility charges and/or installments and surcharges within the past six months of the customer's present request for a deferred payment plan;

2. A residential customer who has failed to make a timely and complete payment, as defined in Sections 13.12.100(E) and 13.12.110(F), of a utility charge and/or an installment and surcharge within the past six months of the customer's present request for a deferred payment plan; and

3. A residential customer who has a deferred payment plan already in effect or has had a deferred payment plan in effect within the previous six (6) months.

C. The utility shall not establish a deferred payment plan based on a request by a residential customer that is not timely. A request is timely if it is received by the utility prior to the date of termination of utility service.

D. Upon receipt of an untimely request or a request from an ineligible residential customer, the utility shall mail to the customer a notice of his or her ineligibility or of the untimeliness of his or her request. The utility shall then proceed as if the customer had not made the request.

E. Upon receipt of an eligible residential customer's timely request for the establishment of a deferred payment plan, the utility shall discuss with the residential customer, and then mail to, or personally serve upon him or her the exact payment requirements of the customer's deferred payment plan. The payment plan shall become effective only upon the utility's receipt of the customer's written acceptance of the payment requirements.

F. No deferred payment plan shall be established that does not meet the following minimum payment requirements:

1. An initial payment of at least twenty-five (25) percent of the utility charge subject to the deferred payment plan, payable at the time of the customer's written acceptance of the payment requirements of his

or her deferred payment plan;

2. A maximum of five monthly installment payments of at least fifteen (15) percent of the utility charge subject to the deferred payment plan, with the first such installment due thirty (30) days after payment of the initial payment; and

3. Deferred payment plans shall not be available for the payment of any deposit required to obtain water and sewer service.

G. When a payment by a residential customer is not sufficient to satisfy an installment and surcharge payable under the customer's deferred payment plan and a currently payable utility charge, the payment shall first be applied to the installment and surcharge and then to the currently payable utility charge.

H. In the event that the utility rejects a residential customer's request for the establishment of a deferred payment plan, for reasons other than the untimeliness of the request or the ineligibility of the customer, the utility shall mail to the customer a notice of rejection stating the following:

1. The reason(s) that the customer's request was rejected;

2. The date of the notice of rejection; and

3. The date that complete payment of the utility charge is due at the utility, which shall be the payment date shown on the utility bill or the date of the termination shown on the notice of termination, or at least five days after the date of the notice of rejection, whichever is latest. (Ord. 06-22, Sec. 9: Ord. 92-18 §§ 4, 5; Ord. 79-43 § 7)

(2006-22, Sec. 9, Amended, 07/24/2006, Amend Paragraph B(3) from twelve months to six months)

Section 13.12.080 Residential customer dispute.

A. At any time before the date of termination of utility service for nonpayment of the amount(s) shown on a utility bill, a notice of rejection or a notice of termination, a residential customer may dispute the correctness of all or part of the amount(s) shown in accordance with the provisions of this chapter. A residential customer shall not be entitled to dispute the correctness of all or part of the amount(s) that was (were) the subject of a previous dispute under this section.

B. The procedure for residential customer disputes shall be as follows:

1. Before the date of termination, the residential customer shall notify the utility, orally or in writing, that he or she disputes all or part of the amounts(s) shown on a utility bill, a notice of rejection or a notice of termination, stating as completely as possible the basis for the dispute.

2. If the utility determines that the present dispute is untimely or that the residential customer previously disputed the correctness of all or part of the amount(s) shown, the utility shall mail to the customer a notice stating that the present dispute is untimely or invalid. The utility shall then proceed as if the customer had not notified the utility of the present dispute.

3. If the utility determines that the present dispute is not untimely or invalid under this section, the utility, within three days after receipt of the customer's notice, shall arrange an informal meeting between the residential customer and an official of the utility.

4. Based on the utility's records, the customer's allegations and all other relevant materials available to the official, the official shall resolve the dispute, attempting to do so in a manner satisfactory to both the utility and the customer.

5. Within five days of completion of the meeting, the official shall mail to the customer a copy of his or her decision resolving the dispute.

6. If the decision is unsatisfactory to the customer, the customer, within five days of his or her receipt of the official's decision, may request in writing a formal hearing before the City Manager of the City of Olney.

7. The formal hearing before the City Manager shall be held within ten days of the utility's receipt of the customer's request.

8. At the hearing the utility and the customer shall be entitled to present all evidence that is, in the City Manager's view, relevant and material to the dispute, and to examine and cross-examine witnesses. A

tape-recorded (or at the option of the utility, a stenographic) record of the hearing shall be maintained.

9. Based on the record established at hearing, the City Manager, within five days of the completion of the hearing, shall issue his or her written decision formally resolving the dispute. The City Manager's decision shall be final and binding on the utility and the customer.

C. Utilization of this dispute procedure shall not relieve a residential customer of his or her obligation to timely and completely pay all other undisputed utility charges and/or installments and surcharges, and the undisputed portion(s) of the amount(s) which is (are) the subject of the present dispute. Notwithstanding subsection D of this section, failure to timely and completely pay all such undisputed amounts subject the residential customer to termination of utility service in accordance with the provisions of this chapter.

D. Until the date of the City Manager's or the utility official's decision, whichever is later, the utility shall not terminate the utility service of this residential customer and shall not issue a notice of termination to him or her solely for nonpayment of the disputed amount(s). If it is determined that the customer must pay some or all of the disputed amounts(s), the utility shall promptly mail to, or personally serve upon the customer a notice of termination, which shall contain the following:

1. The amount to be paid;
2. The date of the notice of termination;
3. The date of termination, which shall be at least fifteen (15) days after the date of the notice of termination, except as reviewed in Section 13.12.110(A);
4. Notice that unless the utility receives complete payment of the amount shown prior to the date of termination, utility service shall be terminated under Section 13.12.100(D);
5. Notice that in lieu of paying the amount shown, an eligible residential customer, prior to the date of termination, may request the establishment of a deferred payment plan; and
6. Notice of the special information center described in Section 13.12.060. (Ord. 79-43 § 8)

Section 13.12.090 Office of Utility Hearing Examiner.

Within thirty (30) days of the effective date of the ordinance codified in this chapter, the City Manager shall designate and post in City Hall the names of those individuals who may act as "officials" of the utilities to resolve disputes. (Ord. 79-43 § 9)

Section 13.12.100 Utility service termination procedure.

A. Except as provided in Sections 13.12.080(D) and 13.12.110, the provisions of this section shall govern all terminations of utility service for nonpayment of utility charges and/or installments and surcharges.

B. If by the payment date shown on a utility bill or a notice of rejection, the utility has not received complete payment of the amount(s) shown on the bill or the notice, the utility shall mail to, or personally serve upon the customer, a notice of termination at least three days after the payment date.

C. The notice of termination shall contain the following:

1. The amount to be paid;
2. The date of the notice of termination;
3. The date of termination, which shall be at least ten days from the date of the notice of termination;
4. Notice that unless the utility receives complete payment of the amount shown prior to the date of termination, utility service shall be terminated under subsection D of this section;
5. Notice that in lieu of paying the amount shown, an eligible residential customer, prior to the date of termination, may request the establishment of a deferred payment plan;
6. Notice that in lieu of paying the entire amount shown, a residential customer, prior to the date of termination, may notify the utility that he or she disputes the correctness of all or part of the amount

shown, if all or part of the amount shown was not the subject of a previous dispute under Section 13.12.080; and

7. Notice of the special information center described in Section 13.12.060.

D. If, prior to the date of termination:

1. The utility has not received complete payment of the amount shown on the notice of termination;

2. The residential customer has not requested the establishment of a deferred payment plan; or

3. The residential customer has not notified the utility that he or she disputes the correctness of all or part of the amount shown on the notice of termination;

then the utility shall terminate utility service provided to the residential customer on the date of termination.

E. The City Clerk shall send to the owner or owners of record, as referenced by the taxpayer's identification number, of the real estate (i) a copy of each delinquency notice sent to the person who is delinquent in paying the charges or rates or other notice sufficient to inform the owner or owners of record, as referenced by the taxpayer's identification number, that the charges or rates have become delinquent and (ii) a notice that unpaid charges or rates may create a lien on the real estate. The notice shall be sent no later than the day after the utility service is to be terminated, or, in the case of a closed account, the day after a delinquent notice is sent to the customer.

F. If the utility receives payment of the entire amount shown on the notice of termination prior to the date of termination, such payment shall be considered a timely and complete payment for purposes of this chapter. (Ord. 06-22, Sec. 10; Ord. 92-22 § 1; Ord. 92-18 § 5; Ord. 79-43 § 10) (2006-22, Sec. 10, Amended, 07/24/2006, New Paragraph E)

Section 13.12.110 Tenant's utility escrow fund.

A. In the event that a residential customer is the owner of residential rental property housing one or more tenants who are not responsible for the payment of utility charges for utility service provided to their rental units, one copy of any notice of termination sent to the residential customer shall also be mailed by the utility to each of these tenants. In such an instance the date of termination shall be at least twenty (20) days from the date of the notice of termination.

B. In lieu of terminating utility service on the date of termination under Section 13.12.100(D), the utility, on the date of termination, shall establish a tenant's utility escrow fund and shall mail to the residential customer and all tenants a notice of its establishment if, prior to the date of termination:

1. The utility receives a petition signed by at least seventy-five (75) percent of these tenants requesting the establishment of such a fund;

2. The utility has not received complete payment of the amount shown on the notice of termination;

3. The residential customer has not requested the establishment of a deferred payment plan; and

4. The residential customer has not notified the utility that he or she disputes the correctness of all or part of the amount shown on the notice of termination.

C. Upon establishment of the fund, all tenants, until the date of deficiency termination, shall be entitled to deposit at least fifty (50) percent of their monthly rental payments into the fund in lieu of paying them to the residential customer. The utility shall utilize the fund to pay the entire amount shown on the notice of termination. On the date of deficiency termination, or upon complete payment of the amount, whichever occurs first, the utility shall dissolve the fund and shall return any balance remaining in it to the residential customer.

D. In the event that the fund remains insufficient to pay the entire amount of the notice of termination, the utility shall mail to, or personally serve upon the residential customer, and shall mail to all tenants a notice of deficiency, which shall include the following:

1. The amount of the deficiency;

2. The date of the notice of deficiency;

3. The date of deficiency termination which shall be at least five days from the date of the notice of deficiency; and

4. Notice that unless the utility receives complete payment of the amount of the deficiency prior to the date of deficiency termination, utility service shall be terminated under subsection E of this section.

E. If, prior to the date of deficiency termination, the utility has not received complete payment of the amount of the deficiency, the utility shall terminate utility service to the residential rental property on the date of deficiency termination.

F. If the utility receives payment of the entire amount shown on the notice of termination or on the notice of deficiency termination on or after the date of termination, payment shall not be considered a timely payment for purposes of this chapter.

G. The residential customer shall be prohibited from taking any action to collect, from the tenants or the utility, amounts of rental payments deposited into the fund. (Ord. 79-43 § 11)

Section 13.12.120 Limitations on termination of utility service.

A. The utility shall terminate utility service for nonpayment of utility charges and/or installments and surcharges only during the hours of seven-thirty a.m. to three p.m., Monday through Thursday. No termination shall be permitted on a legal holiday or on the day before a legal holiday.

B. No terminations shall be permitted on a day when the low temperature within the previous twenty-four (24) hours, as reported by the National Weather Service at its first order station nearest the residence, was below zero degrees Fahrenheit. If utility service to a residential customer has been terminated and not reinstated by five p.m. on the day of termination, when the low temperature within the previous twenty-four (24) hours, as reported by the National Weather Service at its first order station nearest the residence, was below thirty-two (32) degrees Fahrenheit, the utility shall notify the Police Department on the day of termination of the following:

1. The name of the residential customer;
2. The address and location of the residence no longer receiving utility service; and
3. The possible threat to the health and life of all persons residing at the residence.

C. The utility shall not terminate utility service for nonpayment of amounts less than forty dollars (\$40.00). (Ord. 2014-42 § 2; Ord. 98-34 § 7; Ord. 92-18 §§ 6, 7; Ord. 79-43 § 12)
(2014-42, Amended, 11/10/2014, Change amount in Par. C from \$25 to \$40)

Section 13.12.130 Reinstatement of utility service.

In the event of termination of utility service in accordance with the provisions of this chapter, the utility shall reinstate utility service to the residential customer within twelve (12) hours of the utility's receipt of complete payment of the amount whose nonpayment prompted the termination; such payment shall not be considered a timely payment for purpose of this chapter. (Ord. 79-43 § 13)

Section 13.12.140 Authority to establish regulations.

The City Manager or his or her designee is authorized to establish, after due notice and opportunity for interested parties to be heard, all written regulations necessary to implement to provisions of this chapter. (Ord. 79-43 § 14)

Section 13.12.150 Computation of time.

In computing any period of time prescribed by this chapter the day of the act or event from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday or a legal holiday, in which event the period runs until the next day which is not a Saturday, a Sunday or a legal holiday. When the period of time prescribed is less than seven days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation. (Ord. 79-43 § 15)

Chapter 13.16

CROSS-CONNECTION CONTROL

Sections:

- 13.16.010** **General policy.**
- 13.16.020** **Definitions.**
- 13.16.030** **Water system.**
- 13.16.040** **Cross-connection prohibited.**
- 13.16.050** **Survey and investigations.**
- 13.16.060** **Where protection is required.**
- 13.16.070** **Type of protection required.**
- 13.16.080** **Backflow prevention devices.**
- 13.16.090** **Inspection and maintenance.**
- 13.16.100** **Booster pumps.**
- 13.16.110** **Violations.**

Section 13.16.010 **General policy.**

A. Purpose. The purpose of this chapter is:

1. To protect the public water supply system from contamination or pollution by isolating within the customer's water system contaminants or pollutants which could backflow through the service connection into the public water supply system;
2. To promote the elimination or control of existing cross-connections, actual or potential, between the public or consumer's potable water system and nonpotable water systems, plumbing fixtures and sources or systems containing substances of unknown or questionable safety;
3. To provide for the maintenance of a continuing program of cross-connection control which will prevent the contamination or pollution of the public and consumer's potable water systems.

B. Application. This chapter shall apply to all premises served by the public potable water supply system of the City of Olney, Illinois.

C. Policy. The owner or official custodian and the City shall share in the responsibility for protection of the public water supply system from contamination due to backflow or back-siphonage of contaminants through the customer's water service connection. If, in the judgement of the Water Plant Supervisor or his or her authorized representative, an approved backflow prevention device is necessary for the safety of the public water supply system, the Water Plant Supervisor shall give notice to the consumer to install such approved backflow prevention device at each service connection to the premises. The consumer shall immediately install such approved device or devices at his or her own expense; failure, refusal or inability on the part of the consumer to install such device or devices immediately shall constitute grounds for discontinuing water service to the premises until such device or devices have been installed. The City shall retain records of installation, maintenance, testing and repair as required in Section 13.16.050(E)(2) for a period of at least five years. (Ord. 2001-59, Sec. 26: Ord. 98-47 § 1) (2001-59, Amended, 11/13/2001, Change to Water Plant Supervisor)

Section 13.16.020 **Definitions.**

The following definitions shall apply in the interpretation and enforcement of this chapter:

"Agency" means Illinois Environmental Protection Agency.

"Approved" means backflow prevention devices or methods approved by the Water Plant Supervisor of the City of Olney.

"Auxiliary water system" means any water source or system on or available to the premises other than the public water supply system and includes the water supplied by the system. These auxiliary waters may

include water from another purveyor's public water supply system; or water from a source such as wells, lakes or streams, or process fluids; or used water. These waters may be polluted, contaminated or objectionable, or constitute a water source or system over which the water purveyor does not have control.

"Backflow" means the flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water system from any source other than the intended source of the potable water supply.

"Backflow prevention device" means any device, method or type of construction intended to prevent backflow into a potable water system. All devices used for backflow prevention in the City of Olney must meet the standards of the Illinois Plumbing Code and the Illinois Environmental Protection Agency and be approved by the Water Plant Supervisor of the City of Olney.

"Consumer" or "customer" means the owner, official custodian, or person in control of any premises supplied by or in any manner connected to a public water system.

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

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

"Cross-connection" means any physical connection or arrangement between two otherwise separate piping systems, one of which contains potable water and the other a substance of unknown or questionable safety or quality, whereby there may be a flow from one system into the other.

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

"Double check valve assembly" means an assembly composed of single, independently acting check valves approved under ASSE Standard 1015. A double check valve assembly must include tight shutoff valves located at each end of the assembly and suitable connections for testing the water-tightness of each check valve.

"Fixed proper air gap" means the unobstructed vertical distance through the free atmosphere between the water discharge point and the flood level rim of the receptacle.

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

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

"Inspection" means a plumbing inspection to examine carefully and critically all materials, fixtures, piping and appurtenances, appliances, and installations of a plumbing system for compliance with requirements of the Illinois Plumbing Code, 77 Ill. Adm. Code 890.

"Nonpotable water" means water not safe for drinking, personal or culinary use.

"Plumbing" means the actual installation, repair, maintenance, alteration or extension of a plumbing system by any person. Plumbing includes all piping, fixtures, appurtenances and appliances for a supply of water for all purposes, including without limitation lawn sprinkler systems, from the source of a private water supply on the premises or from the main in the street, alley or at the curb to, within and about any building or buildings where a person or persons live, work or assemble. Plumbing includes all piping from discharge of pumping units to and including pressure tanks in water supply systems. Plumbing includes all piping, fixtures, appurtenances and appliances for a building drain and a sanitary drainage and related ventilation system of any building or buildings where a person or persons live, work or assemble from the point of connection of such building drain to the building sewer or private sewage disposal system five feet beyond the foundation walls.

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

"Potable water" means water which meets the requirements for drinking, culinary and domestic

purposes.

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

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

1. Polluted or contaminated waters;
2. Process waters;
3. Used waters originating from the public water supply system which may have deteriorated in sanitary quality;
4. Cooling waters;
5. Questionable or contaminated natural waters taken from wells, lakes, streams or irrigation systems;
6. Chemicals in solution or suspension;
7. Oils, gases, acids, alkalis, and other liquid and gaseous fluids used in industrial or other processes, or for firefighting purposes.

"Public water supply" means all mains, pipes and structures through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treatment plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing water for drinking or general domestic use and which serve at least fifteen (15) service connections or which regularly serve at least twenty-five (25) persons at least sixty (60) days per year, including the public water supply of the City of Olney. A public water supply is either a "community water supply" or a "noncommunity water supply."

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

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

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

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

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

"Water purveyor" means the owner or official custodian of a public water system. (Ord. 2001-59, Sec. 27: Ord. 98-47 § 2)

(2001-59, Amended, 11/13/2001, Changed to Water Plant Supervisor in definition of "Approved" and "Backflow prevention device")

Section 13.16.030 Water system.

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

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

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

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

E. The consumer's water system shall include all parts of the facilities beyond the service connection used to convey water from the public water supply distribution system to points of use. (Ord. 2001-59, Sec. 28: Ord. 98-47 § 3)

(2001-59, Amended, 11/13/2001, Change to Water Plant Supervisor and add Utility Supervisor in Par. B)

Section 13.16.040 Cross-connection prohibited.

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

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

C. There shall be no arrangement or connection by which an unsafe substance may enter a supply. (Ord. 98-47 § 4)

Section 13.16.050 Survey and investigations.

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

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

C. The City shall arrange periodic surveys of water use practices on the premises of each water consumer to determine whether there are actual or potential cross-connections to his or her water system through which contaminants or pollutants could backflow into his or her or the public potable water system. All cross-connection control or other plumbing inspections must be conducted in accordance with Illinois Compiled Statutes, 1996, Chapter 225, Section 320/3.

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

1. All cross-connections are removed, or approved cross-connection control devices are installed for control of backflow and back-siphonage;

2. Cross-connection control devices shall be installed in accordance with the manufacturer's instructions.

- E. The City shall prevent backflow into the public water system by doing the following:
1. Cross-connection control devices shall be inspected at least bi-annually by a person approved by the Agency as a cross-connection control device inspector (CCCDI). The inspection of mechanical devices shall include physical testing in accordance with the manufacturer's instructions.
 2. Testing and Records.
 - a. Each device shall be tested at least bi-annually or more frequently if recommended by the manufacturer.
 - b. Records shall be available for inspection by Agency personnel in accordance with Illinois Compiled Statutes, 1996, Chapter 415, Section 5/4.
 - c. Each device shall have a tag attached listing the date of most recent test, name of CCCDI, and type and date of repairs.
 - d. A maintenance log shall be maintained and include the information required by Section 13.16.090(D). (Ord. 2001-59, Sec. 29: Ord. 98-47 § 5)
(2001-59, Amended, 11/13/2001, Change to Water Plant Supervisor)

Section 13.16.060 Where protection is required.

A. An approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises where, in the judgement of the Water Plant Supervisor, actual or potential hazards to the public water supply system exist.

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

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

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

1. Hospitals, mortuaries, clinics, nursing homes;
2. Laboratories;
3. Piers, docks, waterfront facilities;
4. Sewage treatment plants, sewage pumping stations or stormwater pumping stations;
5. Food or beverage processing plants;
6. Chemical plants;
7. Metal plating industries;

8. Petroleum processing or storage plants;
9. Radioactive material processing plants or nuclear reactors;
10. Car washes. (Ord. 2001-59, Sec. 30: Ord. 98-47 § 6)

(2001-59, Amended, 11/13/2001, Change to Water Plant Supervisor and/or add Utility Supervisor)

Section 13.16.070 Type of protection required.

A. The type of protection required under Section 13.16.060(A) and (B) shall depend on the degree of hazard which exists as follows:

1. An approved fixed proper air gap separation shall be installed where the public water supply system may be contaminated with substances that could cause a severe health hazard.

2. An approved fixed proper air gap separation or an approved reduced pressure principal backflow prevention device shall be installed where the public water supply system may be contaminated with a substance that could cause a system or health hazard.

3. An approved fixed proper air gap separation or an approved reduced pressure principal backflow prevention device shall be installed where the public water supply system may be polluted with substances that could cause a pollution hazard not dangerous to health.

B. The type of protection required under Section 13.16.060(C) shall be an approved fixed proper air gap separation or an approved reduced pressure principal backflow prevention device.

C. Where a public water supply or an auxiliary water supply is used for a fire protection system, reduced pressure principal backflow preventers shall be installed on fire sprinkler systems connected to the public water supply when:

1. The sprinkler system contains antifreeze;

2. Water is pumped into the system from another source; or

3. There is a connection whereby another source can be connected to the sprinkler system. (Ord. 98-47 § 7)

Section 13.16.080 Backflow prevention devices.

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

B. Installation of approved devices shall be made in accordance with 35 Ill. Adm. Code 653.802, and only as specified by the Research Foundation for Cross-Connection Control of the University of Southern California or applicable industry specifications. Maintenance as recommended by the manufacturer of the device shall be performed. Manufacturer's maintenance manuals shall be filed with the City. (Ord. 2001-59, Sec. 31: Ord. 98-47 § 8)

(2001-59, Amended, 11/13/2001, Change to Water Plant Supervisor in Par. A)

Section 13.16.090 Inspection and maintenance.

A. The City shall, at any premises on which backflow prevention devices required by this chapter are installed, have inspections, tests, maintenance and repairs made in accordance with the following schedule or more often where inspections indicate a need or are specified in manufacturer's instructions:

1. Fixed proper air gap separations shall be inspected at the time of installation and at least bi-annually thereafter.

2. Double check valve assemblies shall be inspected and tested for tightness at time of installation and at least bi-annually thereafter, and required service performed within fifteen (15) days.

3. Reduced pressure principal backflow prevention devices shall be tested at least bi-annually or more frequently if recommended by the manufacturer, and required service performed within five days.

B. Testing shall be performed by a person who has been approved by the Agency as competent to service the device. Proof of approval shall be kept on file by the City.

C. Each device shall have a tag attached listing the date of most recent test or visual inspection,

name of tester, and type and date of repairs.

D. A maintenance log shall be maintained and include:

1. Date of each test or visual inspection;
2. Name and approval number of person performing the test or visual inspection;
3. Test results;
4. Repairs or servicing required;
5. Repairs and date completed; and
6. Servicing performed and date completed.

E. Whenever backflow prevention devices required by this chapter are found to be defective, they shall be repaired or replaced by the owner without delay.

F. Backflow prevention devices shall not be bypassed, made inoperative, removed, or otherwise made ineffective without specific authorization by the Water Plant Supervisor. (Ord. 2001-59, Sec. 32: Ord. 98-47 § 9)

(2001-59, Amended, 11/13/2001, Change to Water Plant Supervisor)

Section 13.16.100 Booster pumps.

A. Where a booster pump has been installed on the service line to or within any premises, such pump shall be equipped with a low pressure cut-off device designed to shut off the booster pump when the pressure in the service line on the suction side of the pump drops to twenty (20) psi or less.

B. It shall be the duty of the water consumer to maintain the low pressure cut-off device in proper working order and to certify to the Water Plant Supervisor, at least once a year, that the device is operable. (Ord. 2001-59, Sec. 33: Ord. 98-47 § 10)

(2001-59, Amended, 11/13/2001, Change to Water Plant Supervisor)

Section 13.16.110 Violations.

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

B. Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with this chapter and to the satisfaction of the Water Plant Supervisor, and the required reconnection fee is paid. (Ord. 2001-59, Sec. 34: Ord. 98-47 § 11)

(2001-59, Amended, 11/13/2001, Change to Water Plant Supervisor)