

## CHAPTER 23

### WATER AND SEWERS

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#### ARTICLE I. SEWERS

23-1-1. Definitions. Unless the context specifically indicates otherwise, the meaning of the terms used in this chapter shall be as follows:

(a) Federal Government.

“Federal Act” means the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) as amended by the Clean Water Act of 1977 (Pub. L. 92-500) and (Pub. L. 95-217).

“Administrator” means the Administrator of the U.S. Environmental Protection Agency.

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

(b) State Government.

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

“Director” means the Director of the Illinois Environmental Protection Agency.

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

(c) Local Government.

“Ordinance” means this article. “City” means the City of Arcola.

“Approving Authority” means the Sewer Superintendent of the Sewer Department of the City of Arcola.

(d) “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.

(e) “NPDES Permit” means any permit or equivalent document or requirements issued by the Administrator, or, where appropriated by the Director, after enactment of the Federal Water Pollution Control Amendments of 1977, to regulate the discharge of pollutants pursuant to Section 402 of the Federal Act.

(f) Clarification of word usage: “Shall” is mandatory; “may” is permissible.

(g) Wastewater and its characteristics.

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

“Sewage” is used interchangeable with “Wastewater.”

“Effluent Criteria” are defined in any applicable “NPDES Permit.”

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

“Unpolluted Water” is water 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.

“ppm” shall mean parts per million by weight.

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

“Suspended Solids” shall mean solids that either float on the surface of, or are in suspension in water, sewage, or industrial waste, and which are removable

by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in “Standard Methods”.

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

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

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

“Garbage” shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.

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

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

“Population Equivalent” is a term used to evaluate the impact of industrial or other waste on a treatment works or stream. One population equivalent is 100 gallons of sewage per day, containing 0.17 pounds of BOD and 0.22 pounds of suspended solids.

“Slug” shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than 5 times the average 24 hour concentration or flows during normal operation.

“Industrial Waste” shall mean any solid, liquid or gaseous substance discharged, permitted to flow or escaping from any industrial, manufacturing, commercial or business establishment or process or from the development, recovery or processing of any natural resource as distinct from sanitary sewage.

“Major Contributing Industry” shall mean an industrial user of the publicly owned treatment works that: (a) has a flow of 50,000 gallons or more per average work day; or (b) has a flow greater than 10 percent of the flow carried by the municipal system receiving the waste; or (c) has in its waste, a toxic pollutant in toxic amounts as defined in standards issued under Section 307 (a) of the Federal Act; or (d) is found by the permit 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.

(h) Sewer types, and appurtenances.

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

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

“Sanitary Sewer” shall mean a sewer than conveys sewage or industrial wastes or a combination of both, and into which storm, surface, and groundwaters or unpolluted industrial wastes are not intentionally admitted.

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

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

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

“Building Drain” shall mean that part of the lowest piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer or other

approved point of discharge beginning 5 feet (1.5 meters) outside the inner face of the building wall.

“Stormwater runoff” shall mean that portion of the precipitation that is drained into the sewers.

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

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

(i) Treatment.

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

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

(j) “Wastewater Facilities” shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and transport effluent to a watercourse.

(k) Watercourse and connections.

“Watercourse” shall mean a channel in which a flow of water occurs, either continuously or intermittently.

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

(l) User types.

“User Class” shall mean the type of user either “residential or commercial” (non-industrial) or “Industrial” as defined herein.

“Residential or Commercial” or “Non-industrial” user shall mean any user of the treatment works not classified as an industrial user or excluded as an industrial user as provided for in this section.

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

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

A user in the Divisions listed may be excluded if it is determined by the Sewer Superintendent that it will introduce primarily segregated domestic wastes or wastes from sanitary conveniences.

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

(m) Types of charges.

“Wastewater Service Charge” shall be the charge per month levied on all users of the Wastewater Facilities. The service charge shall be computed as outlined in Section 23-3-1 of this chapter and shall consist of the total of the Basic User Charge, the Debt Service Charge and a Surcharge, if applicable.

“User Charge” shall mean a charge levied on users of treatment works for the cost of operation and maintenance.

“Basic User Charge” shall mean the basic assessment levied on all users of the public sewer system.

“Debt Service Charge” shall be the amount to be paid each billing period for payment of interest, principal and coverage of loan, bond, reserve accounts, etc. outstanding.

“Surcharge” shall mean the assessment in addition to the basic user charge and debt service charge, if applicable, which is levied on those persons whose

wastes are greater in strength than the concentration values established in Section 23-3-1 of this chapter.

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

“Useful Life” shall mean the estimated period during which the collection system and/or treatment works will be operated and shall be 30 years from the date of start-up of any wastewater facilities constructed with a state grant.

“Sewage Fund” is the principal accounting designation for all revenues received in the operation of the sewerage system.

23-1-2. Use of public sewers required. (a) It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City of Arcola or in any area under the jurisdiction of said city, any human or animal excrement, garbage or other objectionable waste.

(b) It shall be unlawful to discharge to any natural outlet within the City of Arcola, 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.

(c) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

(d) 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 (or combined) sewer of the city, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter within 90 days after date of official notice to do so, provided that said public sewer is within 100 feet of the property line.

23-1-3. Private sewage disposal. (a) Where a public sanitary (or combined) sewer is not available under the provisions of Section 23-1-2, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Section 23-1-3.

(b) Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the Sewer Superintendent. The application for such permit shall be made on a form furnished by the city, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Sewer Superintendent. A permit and inspection fee of \$15 shall be paid to the city at the time the application is filed.

(c) A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Sewer Superintendent. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Sewer Superintendent when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 72 hours of the receipt of written notice by the Sewer Superintendent.

(d) 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 20,000 square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

(e) At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 23-1-2, a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

(f) 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.

(g) No statement contained in this section shall be construed to override with any additional requirements that may be imposed by the Douglas County Health Department.

(h) When a public sewer becomes available, the building sewer shall be connected to said sewer within 60 days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

23-1-4. Building sewers and connections. (a) No unauthorized person shall uncover, make any connections with, or opening into; use; alter; or disturb



any public sewer or appurtenance thereof without first obtaining a written permit from the Sewer Superintendent.

(b) 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.

(c) There shall be 2 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 agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Sewer Superintendent. A permit and inspection fee of \$3 for a residential or commercial building sewer permit shall be paid to the city at the time the application is filed. The industry, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics, and type of activity.

(d) 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.

(e) All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner including the cost to run the lateral line from the main to the owner's property line. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(f) A separate and independent building sewer shall be provided for every building, except that where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear 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.

(g) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Sewer Superintendent, to meet all requirements of this ordinance.

(h) The size, slope, alignment, materials of construction of 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 Federal Manual of Practice No. 9, and Standard Specifications for Water and Sewer Main Construction in Illinois shall apply.

(i) 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 means which is approved in accordance with subsection (b) of this section and discharged to the building sewer.

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

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

(l) The applicant for the building sewer permit shall notify the Sewer Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Sewer Superintendent or his representative.

(m) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city.

23-1-5. Use of public sewers. (a) No person shall discharge, or cause to be discharged, any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

(b) 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 Superintendent. Industrial cooling water or unpolluted process waters may be discharged on approval of the Sewer Superintendent, to a storm sewer, combined sewer, or natural outlet.

(c) No person shall discharge or cause to be discharged any of the following described water or wastes to any public sewers:

(1) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

(2) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction or with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.

(3) Any water or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

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

(d) 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 Superintendent that such wastes can harm either the sewers, sewage treatment process, or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Sewer Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, and maximum limits established by regulatory agencies. The substances prohibited are:

(1) Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit (65 degrees C).

(2) Any waters or wastes containing toxic or poisonous materials; or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32 and 150 degrees Fahrenheit (0 and 65 degrees C).

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

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

(5) 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 Superintendent for such materials.

(6) Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the Sewer Superintendent as necessary after treatment of the composite sewage, to meet the requirements of the state, federal, or other public agencies of jurisdiction for such discharge to the receiving waters.

(7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Sewer Superintendent in compliance with applicable state or federal regulations.

(8) Any waters or wastes having a pH in excess of 9.5.

(9) Any mercury or any of its compounds in excess of 0.0005 mg/l as Hg at any time, except as permitted by the Sewer Superintendent in compliance with applicable state and federal regulations.

(10) Any cyanide in excess of 0.025 mg/l at any time except as permitted by the Sewer Superintendent in compliance with applicable state and federal regulations.

(11) Materials which exert or cause:

(i) 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);

(ii) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions);

(iii) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works;

(iv) Unusual volume of flow or concentrations of wastes constituting “slugs” as defined herein.

(12) Waters or waste containing substances which are not amendable to treatment or reduction by the sewage treatment processes employed, or are amendable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters.

(e) 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 23-1-5 (d) of this article, 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 Superintendent 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 Superintendent 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 this chapter.

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

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

(g) Where preliminary treatment or flow-equalizing facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

(h) Each industry shall be required to install a control manhole and, when required by the Sewer Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole, together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Sewer Superintendent. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

(i) 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 ordinance 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 analyses by an outside laboratory service.

(j) All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this chapter 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. (The particular analyses involved will determine whether a 24-hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls, whereas pH's are determined from periodic grab samples.)

(k) No statement contained in this section shall be construed as preventing any special agreement of 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.

23-1-5.1. Unlawful connections with storm sewers. It is unlawful for any person, firm or corporation to connect or cause to be connected to any drain carrying or to carry any toilet, sink, basement, septic tank, cesspool, industrial waste or any fixture or device discharging polluting substances into any storm sewer located within the City of Arcola.

(Ordinance No. 93-C-2, amended June 07, 1993)

23-1-6. Extension of sewer mains. (a) The City Council shall determine if an extension of a sewer main is economically feasible based on the estimated cost of the extension and the number of existing potential users that will use the sewer along the extension.

(b) If the extension is economically feasible, then the city may install and pay the cost of the extension at the discretion of the City Council. If the city elects not to pay the cost of extending the sewer main, then the person or persons desiring sewer service shall install the extension at their own personal expense upon written consent of the City Council.

(c) The city shall not pay for any sewer extensions to an undeveloped area, such as a subdivision being developed, unless there are sufficient existing residents or businesses to make the extension economically feasible.

(d) If the sewer main extension is installed by someone other than the city, the following requirements shall be met:

(1) The city shall approve all plans and specifications for any sewer main extensions;

(2) The State of Illinois Environmental Protection Agency shall review and approve the plans and specifications before any extensions are installed;

(3) Ownership, right-of-way, and title shall be conveyed to the city for all extensions installed by anyone other than the city;

(4) The city shall maintain the sewer mains after final inspection and approval of the Sewer Superintendent;

(5) No extension shall be permitted if in the opinion of the City Council, the collection system or waste treatment facilities does not have the necessary capacity to serve the proposed extension.

23-1-7. Change in occupancy. (a) Any user requesting a termination of service shall give written notice to the city 10 days prior to the time such termination of service is desired.

(b) Responsibility for payment for sewer service prior to the date of termination shall be with the property owners as well as the user.

(c) There shall be no charge for transferring the sewer service to the subsequent user.

23-1-8. Protection of sewage works from damage. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works.

23-1-9. Powers and authority of inspectors. (a) The Sewer Superintendent 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 Superintendent or his representative shall have no authority to inquire into any processes, including metallurgical, chemical, oil refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterway or facilities for waste treatment.

(b) While performing the necessary work on private properties referred to in subsection (a) of this section, the Sewer Superintendent 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 and 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 23-1-5 (i).

(c) The Sewer Superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within 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.

23-1-10. Penalties. (a) Any person found to be violating any provision of this article except Section 23-1-8 shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. The city may revoke any permit for sewage disposal as a result of any violation of any provisions of this article.

(b) Any person who shall continue any violation beyond the time limit provided for in subsection (a) of this section shall be guilty of an offense and on conviction thereof shall be fined in the amount not exceeding \$500 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 article shall become liable to the city by reason of such violation.

(Article I amended in toto, 83-C-2, 3/7/83)

## ARTICLE II. WATERWORKS AND SEWERAGE SYSTEM

23-2-1. Turning on water. No person shall turn on the supply of water to a service pipe from which the supply has been turned off by the city on account of nonpayment of water rates, or for any other reason, without first having obtained a permit to do so from the proper city officers.

23-2-2. Plumbing. No water shall be turned on for service in premises in which the plumbing does not comply with the ordinances of the city; provided, that water may be turned on for construction work and unfinished buildings, subject to the provisions of this article.

23-2-3. Charges for new customer water deposit; shutting off or turning on water; service calls. A new customer account requires a \$100 deposit to be made prior to service activation. A charge of \$30 will be made for shutting off or turning on water services, except at the time of commencement of such service or at its termination. There is a minimum charge of \$30 for all service calls which are made after normal working hours.

(Ordinance No. 22-C-2, amended April 18, 2022)

23-2-4. Service connection; fee. No connections with a water main shall be made until a connection fee of \$750 has been paid to the City Clerk. The connection fee includes running a lateral line of no more than 25 feet and the installation of a 3/4" meter on the user's property. Should the lateral line between the main and the water meter be more than 25 feet or if other extraordinary costs are incurred in installing the water line such as boring under the roadway, the user shall pay to the City Clerk in addition to the connection fee, the additional costs incurred by the City for the water connection. The connection fee for a 1" meter and running a lateral of no more than 25 feet from the main to the meter shall be \$750 with the user to pay for any additional costs for running the lateral more than 25 feet or boring under a roadway. The connection fee for extra territorial water users which includes running a lateral of no more than 25 feet from the main to the meter shall be \$1,000 with the extra territorial user to pay for any additional costs for running the lateral more than 25 feet or for boring under a roadway. This fee is in addition to the regular meter fee of \$750, making the total connection fee \$1,750 for up to a 1 inch meter. All such connections between the main and the meter and the installation of the meter itself shall be made and all such work done by the City, which shall furnish the materials necessary for such work. All connections running from the meter to the user's building shall be made and all such work done at the expense of the user who shall furnish materials necessary for such work, and no such connection shall be covered until the work has been inspected by the City.

(Ordinance No. 16-C-1, amended March 07, 2016)

23-2-5. Waterworks and sewerage fund. The City Collector shall receive all revenues from the combined waterworks and sewerage system and all other funds and moneys incident to the operation of such system as the same may be delivered to him and shall deposit the same in a separate fund and in a separate bank account designated as the “Waterworks and Sewerage Fund” established by Ordinance No. 317, which authorized the issuance of revenue bonds, and the City Collector shall administer such fund in every respect in the manner provided by said ordinance and by law.

23-2-6. Discontinuance of service by user; notice required. To discontinue water service, a user must give written notice to the City Clerk to the first day of the month for which service is to be discontinued. Upon the receipt of such notice, water service shall be discontinued to the premises and it shall not be resumed until a request for the resumption of water service is made by the user.

23-2-7. Resale. It shall be unlawful for any water user to resell any water supplied by the waterworks and sewerage system. Any such resale shall be grounds for discontinuance of water service to the user.

23-2-8. Nonliability of city. All water supplied by the combined waterworks and sewerage system shall be upon the express condition that the City of Arcola 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 pipe, apparatus, or appurtenances connected with the combined system or any part or portion thereof, nor for any interruption of the supply by reason of the breakage of machinery, or by reason of stoppage, alterations, or extensions.

23-2-9. Access to premises. The city and its employees shall have ready access to all reasonable times to the premises, places, or building where water or sewerage service is supplied for the purpose of examining and testing the consumption, use, and flow of water, or the operation of the sewerage portion of the combined system, and it shall be unlawful for any person or corporation to interfere with, prevent, or obstruct the city or its duly authorized agents in its duties hereunder.

23-2-10. Supplying water to others prohibited. No water user may supply water to other families or allow them to take it, except for use on the premises and for the purpose specified in the application, nor after water is introduced into any building or upon any premises shall any person make or employ any other person to make any tap, or connection with work upon the premises for alterations, repairs, extensions, or attachments without written permit from the city therefor.

23-2-11. City's right to shut off water. The city reserves the right to shut off water at any time in the mains for the purpose of repairing, cleaning, making connection with or extensions to the same, or for the concentrating of water in any part of the city 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 by reason of the breaking of any service pipe or relaying mains, or from failure of the water supply, or by increasing the water pressure at any time, or from concentrated or restrictive use of water.

23-2-12. Separate service pipes for each building. No owner or plumber shall be permitted to conduct water pipes into any two distinct premises unless separate and distinct stopcocks shall be placed on the outside of each such premise along the sidewalk opposite the same, nor shall any pipe be allowed to cross lots or buildings to adjoining premises unless approved by the City Council.

23-2-13. Tampering. It shall be unlawful for any person not authorized by the city to tamper with, alter or injure any meter or any other part of the combined waterworks and sewerage system of the city.

23-2-14. Repairs. All repairs for service pipes and plumbing systems of buildings shall be made by and at the expense of the owner and applicant for service to said premises who both shall be jointly and severally liable therefor. The city may in the case of an emergency repair any service pipes and if this is done the cost of such repair work shall be repaid to the city by the owner of the premises served or by the applicant for the service to said premises, and both shall be jointly and severally liable therefor. Such charges for repairs shall be collected in the same manner as charges for water service. Whenever a bill for such repairs remains unpaid 60 days after it has been rendered, the City Clerk may file with the Recorder of Douglas County a statement of lien which may subsequently be foreclosed in accordance with the provisions of Section 23-2-22 of this article.

23-2-15. Reading meters; estimates. Authorized employees of the city shall read every water meter at such time each month as is necessary so that the bills may be sent out at the proper time. In the event that the water meters cannot be read for any reason, estimated bills shall be sent out for that month based on prior usage for each premises.

23-2-16. Failure of meter; estimates. In the event any water meter fails to register from any cause, the amount charged for the water during such period shall be estimated based on the average amount registered during a previous like period for the premises.

23-2-17. Water Rates. All property, including property outside the corporate limits of the City of Arcola, upon which any building has been or may hereafter be erected having a connection with any mains or pipes which now are or may hereafter be constructed and used in connection with the waterworks system of the City of Arcola shall pay monthly for water service based on water usage in accordance with the following rates:

- (a) Minimum monthly rate for usage up to and including 1,000 gallons .....\$ 15.25
- (b) All usage over 1,000 gallons per 1000 gallons (rounded to the nearest 100 gallons) .....\$ 9.75
- (c) All usage over 50,000 gallons per 1,000 gallons (rounded to the nearest 100 gallons) .....\$ 8.75  
(Ordinance No. 23-C-3, amended November 20, 2023)

23-2-18. Bills; 10% late charge. Bills for rates and charges herein established shall be made out by the City Collector and shall be sent out monthly. The bills shall be payable on the 10th day of each month for water service supplied during the preceding monthly billing period. All bills shall be payable at the office of the City Clerk. If any bill has not been paid for on or before the 10th day of the month, a late charge equivalent to 10% of the amount of the bill shall be added thereto and collected at the time the bill is paid.

23-2-19. Nonpayment; notice; and hearing. The City Collector shall cause a Notice to be printed on all water bills notifying users who have not paid their bills that their water service will be shut off on the 20<sup>th</sup> day of the month unless the bill including the late charge has been paid in full prior to the 20<sup>th</sup> day of the month. The notice shall also advise the user that if there is some dispute as to the amount of the bill, the user may request the City Collector in writing for a hearing with regard to the amount of the bill. Such written request must be received by the City Collector prior to the 20<sup>th</sup> day of the month. Upon receipt thereof, the City Collector will immediately notify the water bill hearing officer who will then contact the user to arrange for a time and place to have a hearing with regard to the disputed bill. If such a written request has been timely made by a user, the user’s water service shall be continued until at least 48 hours after the hearing. At the hearing, the water bill hearing officer shall make a final determination as to the amount of the bill. If the user pays that amount within 48 hours from the determination, the user’s water service shall be continued. However, if the user does not pay or make suitable arrangements to pay the amount of the bill as determined at the hearing within 48 hours from the time of the hearing, the users water service shall then be shut off. The City may lock or pull the water meter on the first working day following the shut off date.

(Ordinance No. 93-C-8 amended November 1, 1993)

23-2-20. Liability for charges. The owner of any lot, parcel of land or premises receiving any of the services of the combined water and sewerage system of the city, the occupant of such premises, and the user of the services shall be jointly and severally liable for the payment of services to such lot, parcel of land, or premises, and all services are rendered to the premises by the city only on the condition that such owner, occupant, and user shall be jointly and severally liable therefor to the city.

23-2-21. Lien. Charges for water and/or sewer service to any premises shall be a lien upon said premises as provided by statute. Whenever a bill for water and/or sewer service remains unpaid 60 days after it has been rendered, the City Clerk may file with the Recorder of Deeds of Douglas County a statement of lien. This statement shall be verified and shall contain the legal description of the premises served, the amount of the unpaid bill, the date when such amount became delinquent, and a notice that the city claims a lien for this amount as well as for all charges for water served subsequently to the period covered by the bill.

If the consumer of water whose bill is unpaid is not the owner of the premises, and the City Clerk has notice of this, then notice shall be mailed to the owner of the premises, if his address is known to the City Clerk, whenever such bill remains unpaid for a period of 60 days after it has been rendered.

The failure of the City Clerk to record such lien claim or to mail such notice, or the failure of the owner to receive such notice, shall not affect the right to foreclose the lien for unpaid water bills as provided for in Section 23-2-22.

23-2-22. Foreclosure of lien. Property subject to a lien for unpaid water and/or sewer charges shall be sold for nonpayment of the same, and the proceeds of such sale shall be applied to pay the charges, after deducting cost, as is the case in the foreclosure of statutory liens. Such foreclosure shall be applied to pay the charges, after deducting cost, 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 is hereby 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/or sewer bill has remained unpaid 60 days after it has been rendered.

23-2-23. Extraterritorial water users; limit; procedures. The number of extraterritorial water users permitted to tap into the water main running from the northern corporate limits of the city to a water meter located near US Route 36 shall be limited to 45. The water service to any extraterritorial water user shall be limited to household uses and comparable uses for any small commercial business but shall exclude water usage for any type of manufacturing or industrial process.

Before an extraterritorial water user can obtain such water service, the following procedure shall be applicable:

(a) The applicant shall obtain an application from the office of the City Clerk and shall complete the same and tender to the City Clerk a nonrefundable application fee; and

(b) At the time the completed application and fee are submitted to the City Clerk, the clerk shall provide the applicant with a copy of an agreement for water service; and

(c) The City Clerk shall present the applicant's application to the City Council for approval at the next regular City Council meeting, and the decision of the City Council as to the application shall be final; and

(d) As soon as practicable, the City Clerk shall notify the applicant as to the decision of the City Council. If the City Council approves the application, the applicant may then sign an agreement for water service with the city on the terms and conditions stated herein; provided, that the applicant has obtained any necessary written easements prior to the time that the agreement for water service is signed, and further provided that the agreement for water service shall not become effective until it has been signed by the appropriate city officials pursuant to authority given by the City Council.

(Ordinance No. 03-C-4 amended April 21, 2003)

### ARTICLE III. WASTEWATER SERVICE CHARGE

#### 23-3-1. Wastewater service charges.

(a) The wastewater service charge for the use of and for service supplied by the wastewater facilities of the City shall consist of a basic user charge for the operation and maintenance and replacement, and a debt service charge. The debt service charge shall be computed by dividing the average annual debt service of all outstanding Revenue Bonds plus related Bond Reserve Accounts by the total annual metered water usages of the City. The basic user charge shall be based on metered water usage and recorded by water meters and/or sewage meters for wastes having the following normal concentrations:

(1) A five day, 20 degree centigrade (20°) biochemical oxygen demand (BOD) of 200 mg/l.

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

It 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 wastewater facilities including a replacement fund for the wastewater and sewer facilities 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 non-industrial and industrial users by Volume, suspended solids and BOD.
- (5) Compute costs per 1000 gal. For normal sewage strength.
- (6) Compute surcharge costs per lb. of BOD and per lb. Of SS for concentrations in excess of normal sewage strength for BOD and SS.

A surcharge will be levied to all users whose waters exceed the normal concentration for BOD (200 mg/l) and SS (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 200 mg/l and 250 mg/l concentration for BOD and SS respectively. Section 23-3-1 (f) specifies the procedure to compute a surcharge.

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

(b) The volume of flow for computing basic user charges shall be the metered water consumption read to the lowest even increments of 100 gallons.

- (1) If the person discharging wastes into the public sewers procures any part, or all of his 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 expense, water meters of a type approved by the Water Superintendent for the purpose of determining the volume of water obtained from these other sources.



- (2) Devices for measuring the volume of waste discharged may be required by the Sewer Superintendent if these volumes cannot otherwise be determined from the metered water consumption records.
- (3) Metering devices for determining the volume of waste shall be installed, owned, and maintained by the person. Following approval and installation, such meters may not be removed, unless service is cancelled, without the consent of the City.

(c) There shall be and there is hereby established a user rate for the use of and for service supplied by the wastewater facilities of the City of Arcola as follows:

- (1) Minimum monthly rate for usage to and including 1,000 gallons .....\$ 13.25
- (2) All usage over 1,000 gallons per 1,000 gallons (rounded to the nearest 100 gallons).....\$ 9.90
- (3) All usage over 5,001 gallons per 1000 gallons (rounded to the nearest 100 gallons).....\$ 6.00  
(Ordinance No. 23-C-3, amended November 20, 2023)

(d) The rates of surcharges for BOD and SS shall be as follows:

- (1) BOD = \$0.114 per pound BOD
- (2) SS = \$0.125 per pound SS

(e) 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 Superintendent and shall be binding as a basis for surcharges.

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

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

where

CW = Amount of wastewater service charge (\$) per billing period (1000 gallon minimum)

CD = Debt Service Charge (Section 3)

Vu = Wastewater Volume in thousands of gallons for billing period

CU = Basic User Charge Rate for Operations, Maintenance and Replacement (Section 4)

CS = Amount of Surcharge (Sections 5 and 6).  
(Ordinance 16-C-1, amended March 07, 2016)

23-3-2. General provisions. (a) Bills. Said rates or charges for service shall be payable monthly. 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 severally liable there for to the city.

(1) Bills for sewer service shall be sent out by the City Collector on or about the 27<sup>th</sup> day of the month succeeding the period for which the service is billed.

(2) All sewer bills are due and payable on the 10<sup>th</sup> day of each month at the office of the City Clerk. A late charge of 10 percent of the amount of the bill shall be added to all bills not paid by the 10<sup>th</sup> day of the month.

(b) Delinquent bills. If the charges for sewer services are not paid within 30 days from the original due date of the bill, such services shall be discontinued, provided that the user shall first be entitled to notice and an opportunity to be heard before a hearing officer designated by the Mayor whose decision with regard to the amount of any disputed bill shall be final.

(c) Lien; notice of delinquency. Whenever a bill for sewer service remains unpaid for 60 days for monthly service after it has been rendered the City Collector may file with the County Recorder of Deeds a statement of lien claim. This statement shall contain the legal description of the premises served, the amount of the unpaid bill, and a notice that the city claims a lien for this amount as well as for all charges subsequent to the period covered by the bill. If the user whose bill is unpaid is not the owner of the premises and the City Collector has notice of this, notice shall be mailed to the owner of the premises if his address be known to the Collector, whenever such bill remains unpaid for the period of 60 days after the original due date. The failure of the City Collector to record such lien or to mail such notice or the failure of the owner to receive such notice shall not affect the right to foreclose the lien for unpaid bills.

(d) Foreclosure of lien. Property subject to a lien for unpaid charges may be sold for non-payment 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 complaint filed in the Circuit Court of Douglas County in the name of the city. The City Attorney is hereby authorized and directed to institute such proceedings in the name of the city against any property for which the bill has remained unpaid 60 days after the original due date.

(e) Disclosure to users. The city shall make available to individual users, upon request, financial statements pertaining to the administration of the user charges maintained by the city.

(f) 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 City Treasurer separate and apart from his private funds and separate and apart from all other funds of the city and all of said sum, without any deductions whatever, shall be delivered to the City Treasurer not more than 10 days after receipt of the same, or at such more frequent intervals as may from time to time be directed by the Mayor and City Council. The City Treasurer 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 and deposit the same in the account of the fund designated as the "Sewerage Fund of the City." Said Treasurer shall administer such fund in every respect in the manner provided by the "Illinois Municipal Code," approved May 29, 1961 as amended.

(g) Accounts. The City Treasurer shall establish a proper system of accounts and shall keep proper books, records, and accounts in which complete and correct entries shall be made of all transactions relative to the sewerage system, and at regular annual intervals he shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the sewerage system. In addition to the customary operating statements, the annual audit report shall also reflect the revenues and operating expenses of the wastewater facilities, including a replacement cost, to indicate that sewer service charges under the waste cost recovery system and capital amounts required to be recovered under the industrial cost recovery system do in fact meet these regulations. In this regard, the financial information to be shown in the audit report shall include the following:

(1) Flow date showing total gallons received at the wastewater plant for the current fiscal year.

(2) Billing date 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) Number of non-metered users.

(6) A list of users discharging non-domestic wastes (industrial users) and volume of waste discharged and waste characteristics, if possible.

(h) Notice of rates. A copy of this article shall be kept on file in the office of the City Clerk and shall be available at all times during business hours for inspection and copying by any interested person.

(i) 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 or industrial cost recovery for the purpose of making audit, examination, excerpts and transcriptions thereof to insure compliance with the terms of the special and general conditions to any state grant.

23-3-3. Penalties. Any person, firm, or corporation violating any provision of this article shall be fined in an amount not exceeding \$500 for each violation. Each day in which any violation shall continue shall be deemed a separate offense.

(Article III added 83-C-2, 3/7/83)

#### ARTICLE IV. WATERWORKS: CROSS-CONNECTION CONTROL

23-4-1. That, if in accordance with the Illinois Plumbing Code or in the judgment of the Chairman of Water Committee, an approved backflow prevention device is necessary for the safety of the public water supply system, the Chairman of Water Committee will give notice to the water customer to install such an approved device immediately. The water customer shall, at his own expense install such an approved device at a location and in a manner in accordance with the Illinois Plumbing Code and all applicable local regulations, and shall have inspections and tests made of such approved devices as required by the Illinois Plumbing Code and local regulations.

23-4-2. That no person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of City of Arcola enter the supply or distribution system of said municipality, unless such private, auxiliary or emergency water supply shall have

been approved by the Chairman of Water Committee and the Illinois Environmental Protection Agency.

23-4-3. That it shall be the duty of the Chairman of Water Committee to cause surveys and investigations to be made of industrial and other properties served by the public water supply to determine whether actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated at least every two years, or as often as the Chairman of Water Committee shall deem necessary. Records of such surveys shall be maintained and available for review for a period of at least five years.

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

23-4-5. That the Chairman of Water Committee of City of Arcola is hereby authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this ordinance is known to exist, and to take such other precautionary measures as he may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions have been eliminated or corrected in compliance with the provisions of this ordinance, and until a reconnection fee of \$100 is paid to the City of Arcola. Immediate disconnection with verbal notice can be effected when the Chairman of Water Committee is assured that imminent danger of harmful contamination of the public water supply system exists. Such action shall be followed by written notification of the cause of disconnection.

23-4-6. That the consumer responsible for backsiphoned material or contamination through backflow, if contamination of the potable water supply system occurs through an illegal cross-connection or an improperly installed,

maintained or repaired device, or a device which has been bypassed, must bear the cost of clean-up of the potable water supply system.

(Article IV added 87-C-3, 05/04/87)