

CHAPTER 5

SEWER USE REGULATIONS

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- 9-5-1: **DEFINITIONS:** Words and phrases used in this chapter, where the meanings are not otherwise clear from context, shall be construed and interpreted in accordance with the following definitions:

CLARIFICATION

OF WORD USAGE: “Shall” is mandatory, “may” is permissible.

FEDERAL GOVERNMENT:

- Administrator: The administrator of the U.S. Environmental Protection Agency.
- Federal Act: The Federal Clean Water Act (33 USC 466 et seq.) as amended, (P.L. 92-217).
- Federal Grant: The U.S. government participation in the financing of the construction of treatment works as provided for by Title II-grants for construction treatment works of the Act and implementing regulations.

LOCAL GOVERNMENT:

- Approving Authority: The Village Board.

Village:	The Village of Elizabeth.
NPDES PERMIT:	Any permit or equivalent document or requirements issued by the administrator, or, where appropriated by the director, after enactment of the Federal Clean Water Act to regulate the discharge of pollutants pursuant to Section 402 of the Federal Act.
PERSON:	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.
SEWER TYPES APPURTENANCES:	
Building Drain:	The 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 (5') (1.5 meters) outside the inner face of the building wall.
Building Sewer:	The extension from the building drain to the public sewer or other place of disposal.
Combined Sewer:	A sewer which is designed and intended to receive wastewater, storm, surface and ground water drainage.
Easement:	An acquired legal right for the specific use of land owned by others.
Public Sewer:	A sewer provided by or subject to the jurisdiction of the Village. It shall also include sewers within or outside the Village boundaries that serve one or more persons and ultimately discharge into the Village sanitary (or combined) sewer system, even though those sewers may not have been constructed with Village funds.

Sanitary Sewer :	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.
Sewer:	A pipe or conduit for conveying sewage or any other waste liquids, including storm, surface and ground water drainage.
Sewerage:	The system of sewers and appurtenances for the collection, transportation and pumping of sewage.
Storm Sewer:	A sewer that carries storm, surface and ground water drainage but excludes sewage and industrial wastes other than unpolluted cooling water.
Storm Water Runoff:	That portion of the precipitation that is drained into the sewers.

STATE GOVERNMENT

Director:	The Director of the Illinois Environmental Protection Agency.
State Act:	The Illinois Anti-Pollution Bond Act of 1970 ¹ .
State Grant:	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.

USER TYPES:

Commercial User:	Shall include transit lodging, retail and wholesale establishments or places engaged in selling merchandise, or rendering services.
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¹ 30 ILCS 405/1 et seq.

Control Manhole:	A structure located on a site from which industrial wastes are discharged. Where feasible, the manhole shall have an interior drop. The purpose of a "control manhole" is to provide access for the Village representative to sample and/or measure discharges.
Industrial Users:	Shall include establishments engaged in manufacturing activities involving the mechanical or chemical transformation of materials of substance into products.
Institutional/Governmental User:	Shall include schools, churches, penal institutions, and users associated with federal, state, local governments.
Residential User:	All dwelling units such as houses, mobile homes, apartments, and permanent multi-family dwellings.
User Class:	The type of user "residential", "institutional/governmental", "commercial" or "industrial" as defined herein.

WASTEWATER AND ITS CHARACTERISTICS:

BOD (Denoting Biochemical Oxygen Demand):	The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees Celsius (20°C), expressed in milligrams per liter.
Effluent Criteria:	Are defined in any applicable "NPDES permit".
Floatable Oil:	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 oil if it is properly pretreated and the wastewater does not interfere with the collection system.
Garbage:	Solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of food.

Industrial Waste:	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:	<p>An industrial user of the publicly owned treatment works that:</p> <ul style="list-style-type: none"> a: Has a flow of fifty thousand (50,000) gallons or more per average workday; or b: Has a flow greater than ten percent (10%) of the flow carried by the municipal system receiving the waste; or c: Has in its waste, a toxic pollutant in toxic amounts as defined in standards issued under Section 307(a) of the Federal Act; or d: Is found by the permit issuing authority, in connection with the issuance of the NPDES permit to 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 the treatment works.
Milligrams Per Liter:	A unit of the concentration of water or wastewater constituent. It is 0.001 gram of the constituent in one thousand milliliters (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.
pH:	The logarithm (base 10) of the reciprocal of the hydrogen-ion concentration expressed by one of the procedures outlined in the IEPA division of laboratories manual of laboratory methods.
ppm:	Parts per million by weight.

- Population Equivalent:** 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 BOO and 0.20 pounds of suspended solids.
- Properly Shredded Garbage:** 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 (1/2") (1.27 centimeters) in any dimension.
- Sewage:** Is used interchangeably with "wastewater".
- Slug:** Any discharge of water, sewage or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty four (24) hour concentration of flows during normal operation.
- Suspended Solids (SS):** Solids that either float on the surface of, or are in suspension in water, sewage, or industrial waste, and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in the IEPA division of laboratories manual of laboratory methods.
- Unpolluted Water:** Water quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

Wastewater: 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 ground water, surface water, and storm water that may be present.

Water Quality Standards: Are defined in the water pollution regulations of Illinois.

WASTEWATER

FACILITIES: The structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and transport effluent to a watercourse.

WATERCOURSE AND CONNECTIONS:

Natural Outlet: Any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

Watercourse: A channel in which a flow of water occurs, either continuously or intermittently.
(Ord. 9-87-1, 9-1-1987; amd. 2002 Code)

9-5-2: USE OF PUBLIC SEWERS REQUIRED:

- A. Discharge of Human and Animal Wastes: It shall be unlawful for any person, firm, or corporation to place, deposit, or permit to be deposited, in any manner contrary to the requirements of this chapter on public or private property within the Village or in any area under the jurisdiction of the Village, any human or animal excrement, garbage, or other objectionable waste described in subsections 9-5-5B and C of this chapter.
- B. Discharges into Natural Outlets: It shall be unlawful to discharge to any natural outlet within the Village or in any area under the jurisdiction of the Village any sewage or other polluted waters, except where suitable treatment has been provided in accordance with the requirements of this Chapter.

- C. Private Systems: Except as hereinafter provided, it shall be unlawful for any person, firm, or corporation to construct, install, or otherwise maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.
- D. Connection to Sewer System Required: The owner of any house, building, or property used for human occupancy, employment, recreation, or other purposes situated within the Village and abutting upon 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 Village shall, at his expense, install suitable toilet facilities therein and shall connect such toilet facilities directly with the proper public sewer in accordance with the requirements of this chapter, not later than ninety (90) days after receipt by him of official notice so to do; provided, that said public sewer is located within sixty feet (60') of his property line.
- E. Charges: The Village shall recover from the users of the public sewers a reasonable charge therefor, in accordance with chapter 1 of this title.
(Ord. 9-87-1,9-1-1987)

9-5-3: **PRIVATE SEWAGE DISPOSAL SYSTEMS:**

- A. Private Systems Permitted: Where a public sanitary or combined sewer is not available under the provisions of subsection 9-5-2D of this Chapter, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this section. (Ord. 9-87-1, 9-1-1987)
- B. Permit Requirements:
1. Permit Required: Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit from the Village, and no private sewage disposal system shall be installed unless and until a permit therefor is issued by the Jo Daviess County Public Health Department.
(Ord. 9-87-1, 9-1-1987; amd. Ord. 9-87-2, 9-1-1987)
 2. Application for Permit: The application for such permit shall be made on a form furnished by the Village, which application the applicant shall supplement by providing any plans, specifications, and other information as deemed necessary by the village.
(Ord. 9-87-1, 9-1-1987; amd. Ord. 9- 87-2, 9-1-1987; 2002 Code)

C. Construction Specifications; Drainage:

1. The type, capacities, location, and layout of a private sewage disposal system shall comply with all requirements of the Jo Daviess County Public Health Department and all applicable village and county ordinances and state law and regulation.
2. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
3. No septic field, line, bed, filter, or trench shall extend beyond the owner's property line. (Ord. 9-87-1, 9-1-1987; amd. Ord. 9-87-2, 9-1-1987)

D. Availability of Public Sewer; Connection Required: At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in subsection 9-5-2D of this chapter, a direct connection shall be made to the public sewer in compliance with this chapter within sixty (60) days thereafter, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned, cleaned of sludge, and filled with clean, bank-run gravel or dirt.

E. Responsibility for Private System: The owner shall operate and maintain the private sewage disposal system in a manner at all times in compliance with the requirements of all village or county ordinances and state and federal laws and regulations, and at no expense to the Village.

F. Documents Filed:

1. Following final inspection of said private sewage disposal system, pursuant to subsection A of this section, the owner thereof shall file said permit and the legal description of the land served thereby at his expense with the Jo Daviess County Recorder.
2. Upon abandonment of the private sewage disposal system, pursuant to subsection D of this section, the owner thereof shall file at his expense with the Jo Daviess County Recorder his statement of said abandonment.

G. Other Requirements: No statement contained in this section shall be construed to interfere with the authority of the Jo Daviess County Public Health Department to impose such additional requirements concerning private sewage disposal systems as it may deem necessary and in the interests of public health and safety. (Ord. 9-87-1, 9-1-1987)

9-5-4: BUILDING SEWERS AND CONNECTIONS:**A. Permit to Connect:**

1. **Permit Required:** No unauthorized person shall uncover, make any connections with, or opening into, use, alter, or otherwise disturb any public sewer or appurtenance thereto without first obtaining from the Village a written permit therefor. (Ord. 9-87-1, 9-1-1987)
2. **Application for Permit:**
 - a. Application for said permit shall be made by the owner or his agent on a form furnished by the Village. The permit application shall be supplemented by any plans, specifications, and other information deemed necessary by the Village. (Ord. 9-87-1, 9-1-1987; amd. 2002 Code)
 - b. The applicant for a commercial or industrial application must also provide information describing its wastewater constituents, characteristics, and type of activity.
3. **Fee:** A permit and inspection fee of twenty five dollars (\$25.00) for a commercial or industrial application shall be paid to the Village at the time the application is filed. No such fee shall be charged for a residential or institutional/governmental application.
4. **Conditions of Permit:** A building sewer permit shall be issued and a sewer connection shall be allowed only if, in the determination of the Village, the downstream sewerage facilities, including sewers, pump stations, and wastewater treatment facilities, have sufficient reserve capacity adequately and efficiently to handle the additional anticipated waste load.

- B. Separated Building Sewers Required; Exception:** 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.

- C. **Use of 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 Village, to meet all requirements of this chapter.
- D. **Construction Specifications:**
1. 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 codes or other applicable rules and regulations of the Village. 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. (Ord. 9-87-1, 9-1-1987)
 2. 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 by the Village and discharged to the building sewer.
 3. Where a public water supply or an auxiliary water supply is used for a fire protection system, reduced pressure principle backflow preventers shall be installed on fire sprinkler systems connected to the public water supply when:
- E. **Connections to System:** The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing codes, or other applicable rules and regulations of the Village, or the procedures set forth in appropriate specifications of the American Society of Testing Materials, Water Pollution Control Federation Manual of Practice No. 9, and Standard Specifications for Water and Sewer Main Construction in Illinois. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Village before installation.

- F. Excavations: All excavations for building sewer installation shall be adequately guarded with barriers and warning devices so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village. (Ord. 9-87-1, 9-1-1987; amd. 2002 Code)
- G. Maintenance and Repair: The owner shall operate, maintain, keep clear of obstruction, and otherwise repair when needed the building sewer and connection to the public sewer in a manner at all times in compliance with the requirements of all Village or county ordinances and state and federal laws and regulations, and at no expense to the Village. This provision shall apply to all building sewers and connections as are presently in service or as may hereafter be brought into service in the Village. (Ord. 12-87-1, 12-1-1987)
- H. Inspections: The applicant for the building sewer permit shall notify the Village when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Village or its representative.
- I. Liability for Costs and Expenses: All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Village from any loss or damage that may directly or indirectly occur as a result of the installation and connection. The Village may, as to specific applicants, require indemnity bond in a reasonable amount, subject to reasonable conditions. (Ord. 9-87-1, 9-1-1987)

9-5-5: **DISCHARGES INTO PUBLIC SYSTEM:**

- A. Storm and Surface Water Runoff: No person shall discharge, or cause to be discharged, any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.
(Ord. 9-87-1, 9-1-1987; annd. 2002 Code)
- B. Prohibited Discharges: No person shall discharge or cause to be discharged any of the following described waters 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 with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
3. Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
4. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

C. Restricted Discharges:

1. 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 Village 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 an opinion as to the acceptability of these wastes, the Village will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and maximum limits established by regulatory agencies. The substances prohibited are:
 - a. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150°F) (65°C).
 - b. Any waters or wastes containing toxic or poisonous materials; or oils, whether emulsified or not, in excess of one hundred milligrams per liter (100 mg/l) or containing substances which may solidify or become viscous at temperatures between thirty two and one hundred fifty degrees Fahrenheit (32 and 150°F) (0 and 65°C).

- c. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Village.
- d. Any waters or wastes containing strong acid, iron pickling wastes, or concentrated plating solution whether neutralized or not.
- e. Any waters or wastes containing iron, chromium, copper, zinc, or similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Village for such materials.
- f. Any waters or wastes containing phenols or other taste producing or odor producing substances, in such concentrations exceeding limits which may be established by the Village 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 Village in compliance with applicable state or federal regulations.
- h. Any wastes or waters having a pH in excess of 9.5.
- i. Any mercury or any of its compounds in excess of 0,0005 milligrams per liter as Hg at any time except as permitted by the Village in compliance with applicable state and federal regulations.
- j. Any cyanide in excess of 1.0 milligrams per liter at any time except as permitted by the Village 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, fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - 2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
4. Unusual volume of flow or concentrations of wastes constituting "slugs" as defined herein.
2. 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.
3. 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 subsection CI of this section, and/or which are in violation of the standards for pretreatment provided in 40 CFR 403, June 26, 1978, and any amendments thereto, and which in the judgment of the Village 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 village may:
 - a. Reject the wastes;
 - b. Require pretreatment to an acceptable condition for discharge to the public sewers;
 - c. Require control over the quantities and rates of discharge; and/or
 - d. Require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges, under the provisions of section 9-5-10 of this chapter.
4. If the Village 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 Village and subject to the requirements of all applicable codes, ordinances, and laws. (Ord. 9-87-1, 9-1-1987)

- 9-5-6: **INTERCEPTORS:** Grease, oil, and sand interceptors shall be provided when, in the opinion of the Village, 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 Village and shall be located on the user's land so as to be readily and easily accessible for cleaning and inspection. (Ord. 9-87-1, 9-1-1987)
- 9-5-7: **PRETREATMENT:** 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. (Ord. 9-87-1, 9-1-1987)
- 9-5-8: **CONTROL MANHOLE:** Each industry shall be required to install a control manhole, and when required by the Village, 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 Village. 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. (Ord. 9-87-1, 9-1-1987)
- 9-5-9: **MEASUREMENTS, TESTS AND ANALYSES:**
- A. 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 Village or regulatory agencies having jurisdiction over the discharge.
 - B. The number, type, and frequency of laboratory analyses to be performed by the owner shall be as stipulated by the Village, but no less than once per year, the industry must supply a complete analysis of the constituents of the wastewater discharge to assure that there is compliance with the federal, state, and local standards. The owner shall report the results of measurements and laboratory analyses to the Village at such times and in such a manner as prescribed by the Village. The owner shall bear the expense of all measurements, analyses, and reporting required by the Village. At such times as deemed necessary, the village reserves the right to

take measurements and samples for analysis by an outside laboratory service as deemed necessary; the Village reserves the right to take measurements and samples for analysis by an outside laboratory service.

- C. 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 IEPA division of laboratories manual of laboratory methods, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. The particular analyses involved will determine whether a twenty four (24) hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty four (24) hour composites of all outfalls, whereas pHs are determined from periodic grab samples. (Ord. 9-87-1, 9-1-1987)
- 9-5-10: **SPECIAL AGREEMENTS:** No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the Village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment, subject to payment therefor, in accordance with section 9-5-2 of this chapter, by the industrial concern. (Ord. 9-87-1, 9-1-1987)
- 9-5-11: **PROTECTION OF SYSTEM FROM DAMAGE:** No unauthorized person, firm or corporation shall maliciously, willfully, or negligently break, damage, destroy, or tamper with any structure, appurtenance, or equipment which is a part of the Village public sanitary and combined sewer system and wastewater treatment plant. Any person violating this provision shall be subject to the penalty provisions of section 1-4-1 of this code. (Ord. 9-87-1, 9-1-1987; arnd. 2002 Code)
- 9-5-12: **POWERS AND AUTHORITY OF INSPECTORS:**
- A. Entry Powers; Limitations on Requested Information:

1. Any duly authorized officer, employee, or representative of the Village, the Jo Daviess County Public Health Department, the county, the Illinois Environmental Protection Agency, and the Federal 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. Said inspectors shall have no authority to inquire into any commercial or industrial processes beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterway or facilities for waste treatment.
 2. The inspectors shall be permitted to enter into all private property through or upon which the Village holds any easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the Village public sanitary and combined sewer system lying within said easement. All entry upon and subsequent work, if any, within said easement shall be done in compliance with the terms of said easement.
- B. Safety Precautions: While upon private property pursuant to subsection A of this section, said inspectors shall observe all safety rules of the owner applicable to said premises and promulgated pursuant to state or federal law. The owner shall be held harmless for injury or death to said inspectors other than as may be caused as a result of the negligence or failure of the owner to maintain conditions in said premises as required by said safety rules and by this chapter. (Ord. 9-87-1, 9-1-1987)

9-5-13: **VIOLATIONS; PENALTIES:**

- A. Notice of Violations; Time for Compliance: Any person, firm, or corporation found to be violating any provision of this chapter, other than section 9-5-11, shall be served by the Village with written notice stating the nature of the violation and allowing a reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in said notice, permanently cease and desist from all violations and correct the violative conditions at his expense.
- B. Revocation of Permit: The Village may revoke any permit for sewage disposal as a result of any violation of any provision of this chapter.

- C. Penalty: Failure of said offender permanently to cease and desist or otherwise correct any condition of violation of the provisions of this chapter, in accordance with notice provided pursuant to subsection A of this section, shall be subject to the penalty provisions of section 1-4-1 of this code. (Ord. 9-87-1, 9-1-1987)