

**ORDINANCE NO. S-4 (RE-ENACTED AS 83-14)**

**AN ORDINANCE ESTABLISHING CHARGES AND RATES FOR SEWER SERVICE AND REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM; AND PROVIDING PENALTIES FOR VIOLATIONS OF SECTIONS THEREOF; IN THE VILLAGE OF CHAPIN, MORGAN COUNTY, ILLINOIS**

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHAPIN, MORGAN COUNTY, ILLINOIS:

SECTION I. DEFINITIONS.

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

A. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

B. "Superintendent" shall mean the Superintendent of the Municipal Sewage Works of the Village of Chapin, or his authorized deputy, agent, or representative.

C. "Inspector" shall mean the person or persons duly authorized by the Village, to inspect and approve the installation of building sewers and their connection to the public water system.

D. "Sewage" shall mean a combination of the water carried wastes, from residences, business buildings, institutions, and industrial establishments.

E. "Sewer" shall mean a pipe or conduit for carrying sewage.

F. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

G. "Storm Sewer" shall mean a sewer receiving surface runoff and ground or storm water.

H. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

I. "Industrial Wastes" shall mean the liquid wastes from industrial processes

as distinct from sanitary sewage.

J. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning 5 feet outside the inner face of the building wall.

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

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

M. "Shall" is mandatory: "May" is permissive.

## SECTION II. USE OF PUBLIC SEWERS REQUIRED.

A. It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the Village of Chapin, Morgan County, Illinois, or in any area under the jurisdiction of said Village, any human or animal excrement, garbage, or other objectionable waste which ordinarily would be regarded as sewage or industrial wastes.

B. It shall be unlawful to discharge to any natural outlet within said Village, or in any area under the jurisdiction of said Village, any sanitary sewage, industrial waste, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.

C. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facilities 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 Village and abutting any street, alley or right-of-way in which there is now located or may in the future be located a sanitary sewer of the Village, is hereby required at his expense to install

suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance, within sixty (60) days after date of official notice to do so, provided that said public sanitary sewer is within one hundred (100) feet of the property line.

E. Plans and Specifications for all proposed extensions of public sewers shall be submitted to the Village and to the Illinois State Department of Public Health for approval.

### SECTION III. PUBLIC SEWAGE DISPOSAL.

A. Where a public sanitary sewer is not available under the provisions of Section II-D, the building sewer shall be connected to a private sewage disposal system complying with all requirements of the State Board of Health.

B. At such times as a public sewer becomes available to a property served by a sewage disposal system as provided in Section II-D, 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.

C. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Village.

D. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Village, County, or State Health officials.

### SECTION IV. 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 appurtenances thereof without first obtaining a written permit from the Village Clerk. Before a permit may be issued for excavating for plumbing in any public street, way or alley, the person applying for such permit shall have executed unto the Village of Chapin and deposited with the Village Clerk a corporate surety in the sum of Two Thousand Dollars (\$2,000.00) conditioned

that he will perform faithfully all work with due care and skill, and in accordance with the laws, rules and regulations established under the authority or any ordinances of the Village of Chapin pertaining to plumbing. This bond shall state that the person will indemnify and save harmless the Village of Chapin and the owner of the premises against all damages, costs, expenses, outlays and claims of every nature and kind arising out of unskillfulness or negligence on his part in connection with plumbing or excavating for plumbing as prescribed in this Ordinance. Such bond shall remain in force and must be executed for a period of one year except that on such expiration it shall remain in force as to all penalties, claims and demands that may have accrued thereunder prior to such expiration.

B. There shall be two (2) classes of building sewer permits: (1) for residential and commercial service, and (2) for service to establishments producing industrial waste. In either case, the owner or his agent shall make application on a special form furnished by the said Village. The permit applications shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Village. A permit and inspection fee of One Hundred Dollars (\$100.00) for a residential or commercial building sewer permit and Two Hundred Dollars (\$200.00) for an industrial building sewer permit shall be paid to the Village Clerk at the time the application is filed. Provided, however, that the permit and inspection fee for a period of thirty (30) days after the passage of this Ordinance shall be Twenty-five Dollars (\$25.00) for all users.

C. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner or the person installing the building sewer for said owner shall indemnify said Village from any loss or damage that may directly or indirectly be occasioned by said installation.

D. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot 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. Other exceptions will be allowed only by special permission granted by the Village Board.

E. Old building sewer or portions thereof may be used in connection with new buildings only when they are found on examination and test by the said Inspector to meet all requirements of this Ordinance.

F. The building sewer shall be constructed of either Vitrified Clay Sewer Pipe and Fittings meeting the current A.S.T.M. Specifications for Extra Strength Clay Sewer Pipe or Extra Heavy Cast Iron Soil Pipe and Fittings meeting the current A.S.T.M. Specifications for Extra Heavy Cast Iron Soil Pipe, or ABS (Acrylonitrile-Butadiene-Styrene) Extra Strength Solid Wall Pipe and Fittings meeting the current A.S.T.M. Specifications for ABS Extra Strength Solid Wall Pipe. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that vitrified clay pipe or ABS Solid Wall Pipe meeting the above specification requirements may be accepted if laid on a suitable improved bed or cradle as approved by the said Inspector.

G. All joints and connections shall be made gas tight and water tight. Vitrified clay sewer pipe shall be fitted with factory made Resilient Compression Joints meeting the A.S.T.M. "Specifications for Vitrified Clay Pipe Joints Having Resilient Properties" (Designation C425).

Before joining the pipe in the trench, the bell and spigot surfaces shall be wiped free of dirt or other foreign matter. A lubricant or sealer as recommended by the pipe manufacturer shall be applied to the bell and spigot mating surfaces just before they are joined together.

The spigot end shall be positioned into the bell end of the pipe previously laid and shall then be shoved home to compress the joint and to assure a tight fit between the interfaces.

Joints for cast iron soil pipe shall be made by inserting a roll of hemp or jute and thoroughly caulking it into place and then following with pure molten lead well caulked, not less than one inch deep. No paint, varnish or putty will be allowed in the joints until they have been tested and approved.

H. The size and slope of the building sewers shall be subject to the approval of the said Inspector, but in no event shall the diameter be less than four (4) inches. The slope of such four (4) inch pipe shall not be less than one-eighth ( $1/8$ ) inch per foot. A slope of one-fourth ( $1/4$ ) inch per foot shall be used wherever practical.

I. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. The depth shall be sufficient to afford protection from frost. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the said Inspector. Pipe laying and backfill shall be performed in accordance with A.S.T.M. Specification (Designation C12) except that no backfill shall be placed until the work has been inspected by the Inspector or his representative.

J. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drains shall be lifted by approved artificial means and discharged to the building sewer. No water operated sewage ejector shall be used.

K. The connection of the building sewer into the public sewer shall be made at the "Y" branch designated for that property, if such branch is available at a suitable location. Any connection not made at the designated "Y" branch in the main sewer, shall be made only as directed by the said Inspector.

L. The applicant for the building sewer shall notify the said Inspector when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the said Inspector 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 said Village.

**SECTION V. USE OF THE PUBLIC SEWERS.**

A. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, sub-surface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer.

B. No person shall discharge or cause to be discharged to any public sewer, any harmful water or wastes, whether liquid, solid or gas, capable of causing obstruction to the flow in sewers, damage or hazard to structures, equipment and personnel of the sewage works, or other interference with the proper operation of the sewage works.

C. The admission into the public sewers of any waters or wastes having harmful or objectionable characteristics shall be subject to the review and approval of the Superintendent, who may prescribe limits on the strength and character of these waters and wastes. Where necessary, in the opinion of the Superintendent, the owner shall provide at his expense, such preliminary treatment as may be necessary to treat these wastes prior to discharge to the public sewer. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the said Superintendent and of the State Board of Health, and no construction of such facilities shall be commenced until said approval is obtained in writing. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

D. When required by the Superintendent, the owner of any property served by a building sewer carrying industrial wastes shall install and maintain at his expense a suitable control manhole in the building sewer to facilitate observation sampling and measurement of the wastes. All measurements, tests, and analysis of the characteristics

of waters and wastes shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage", and shall be determined at the control manhole 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.

E. Grease, oil, and sand interceptors shall be provided when, in the opinion of the said Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amount, or any flammable wastes, sand, and other harmful ingredients except that such interceptors shall not be required for private living quarters or dwelling units. Where installed, they shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

F. The sewer use charges shall be billed according to the following schedule of charges. For buildings housing more than one family or sewer customer a separate use charge shall be made for each occupied unit.

SCHEDULE OF CHARGES

<u>Water Use</u> <u>Gallons Per Month</u>	<u>Rate Schedule</u>
0-3,000 gallons	\$4.10/1,000 gallons
Next 3,000 gallons	4.10/1,000 gallons
Next 3,000 gallons	4.10/1,000 gallons
Next 3,000 gallons	4.10/1,000 gallons
Over 12,000 gallons	4.10/1,000 gallons
Minimum Use - 1,500 gallons	Minimum Bill - \$7.00

G. Notice shall be given to the Superintendent when the occupancy and/or responsibility for payment of sewer use charges is changed. No additional charge shall be made for change in occupancy of buildings already connected to the sewer system.

H. Sewer use charges shall be payable monthly on the date specified by the Village and shall become delinquent ten (10) days thereafter. The penalty for late payment shall be ten per cent (10%) of the amount of the bill. The non-payment of



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SCHEDULE OF CHARGES

<u>Water Use</u> <u>Gallons Per Month</u>	<u>Rate Schedule</u>
0-3,000 gallons	\$5.00/1,000 gallons
Next 3,000 gallons	4.60/1,000 gallons
Next 3,000 gallons	4.25/1,000 gallons
Next 3,000 gallons	3.90/1,000 gallons
Over 12,000 gallons	3.60/1,000 gallons
Minimum Use - 1,500 gallons	Minimul Bill - \$7.50

G. Notice shall be given to the Superintendent when the occupancy and/or responsibility for payment of sewer use charges is changed. No additional charge shall be made for change in occupancy of buildings already connected to the sewer system.

H. Sewer use charges shall be payable monthly on the date specified by the Village and shall become delinquent ten (10) days thereafter. The penalty for late payment shall be ten per cent (10%) of the amount of the bill. The non-payment of

sewer use charges shall be just reason to discontinue other village services. Water service shall be shut off whenever sewer use charges become delinquent for thirty (30) days.

I. Charges for sewer use shall be a lien upon the premises as provided by Statute. Whenever a bill for sewer use remains unpaid sixty (60) days after it has been rendered, the Village Clerk may file with the Recorder of Morgan County, Illinois, a notice of lien in accordance with the Statute, the notice shall consist of a sworn statement setting out (1) a description of the real estate, (2) the amount of money due for such sewerage service, and (3) the date when such amount became delinquent.

J. The Village shall foreclose said lien in the same manner and with the same effect as in the foreclosure of mortgages on real estate. The Village may employ special attorneys to prosecute said foreclosures.

K. The Village may also sue the occupant or user of the real estate in a civil action to recover money due for sewerage services, plus a reasonable attorney's fee, to be fixed by the Court, all in accordance with the Statute and may employ special counsel to do so if it deems fit.

L. In the event that a customer requests that the sewer service be discontinued, there shall be paid to the Village of Chapin the sum of \$25.00 as a disconnection charge. Thereafter, if the same property requests the reconnection of the sewer service, there shall be an additional charge of \$25.00 payable to the Village of Chapin for the reconnection of said service.

M. The Village may, at any time, refuse additional service or services to any applicant if, in the judgment of the Board of Trustees the capacity of the system will not permit such use.

N. The minimum rate as set forth in sub-paragraph F of this section shall be paid by those customers not using the service even though they may not be connected to the system, provided the service is available from the Village.

## SECTION VI. EXTENSION OF MAINS.

A. The Board of Trustees shall first 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 said sewer line. If the extension is economically feasible, then the Village may install and pay the cost of the extension at the discretion of the Board of Trustees. If the Village 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 by the Board of Trustees. The Village shall not pay for any extensions to an undeveloped area, such as a sub-division being developed unless there are sufficient existing residents or businesses to make the extension economically feasible.

B. (1) The Village must approve all plans and specifications for any extensions.

(2) Before any extensions are installed, the plans and specifications must be reviewed and approved by the State of Illinois, Department of Public Health.

(3) Ownership, rights-of-way, and title must be conveyed to the Village for all extensions installed by anyone other than the Village. The Village shall maintain the mains thereafter.

(4) No extension will be permitted if, in the opinion of the Board of Trustees, the system does not have the necessary capacity to serve the proposed extension.

## SECTION VII. PROTECTION FROM DAMAGE.

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

## SECTION VIII. POWERS AND AUTHORITY OF INSPECTORS.

The Superintendent, Inspector, and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling, and testing, in accordance with the provisions of this Ordinance.

**SECTION IX. PENALTIES.**

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

B. Any person who shall continue any violation beyond the time limit provided for in Section IX-A, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in an amount no less than Twenty-five Dollars (\$25.00) and not more than Two Hundred Dollars (\$200.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

C. Any person violating any of the provisions of this Ordinance shall become liable to the Village for any expense, loss or damage occasioned the Village by reason of such violation.

**SECTION X. VALIDITY.**

A. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

B. The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

**SECTION XI. ORDINANCE IN FORCE.**

This Ordinance to be in full force and effect from and after its passage, approval and publication according to the law of the State of Illinois.

PASSED at a regular meeting of the Board of Trustees the 15th day of August,  
1973.

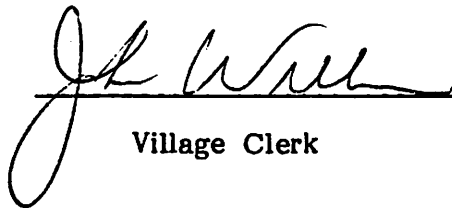
/s/ Alvin Weber - Village Clerk

(CORPORATE SEAL)


APPROVED by me this 15th day of August, 1973.

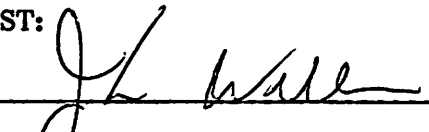
/s/ Donlad Kolberer - Village President

Redesignated 83-14 at a regular meeting of the President and Board of Trustees  
this 1st day of June, 1983.

  
\_\_\_\_\_  
Village Clerk

APPROVED by me this 1st day of June, 1983.

  
\_\_\_\_\_  
Village President

ATTEST:  
  
\_\_\_\_\_  
Village Clerk

(SEAL)