

**An Ordinance Regulating
the Use of Public and
Private Sanitary Sewers,
Etc.**


Madison County Ordinance No. 96-12

MADISON COUNTY, ILLINOIS

ORDINANCE AMENDING ORDINANCE 91-5, AS AMENDED, REGULATING THE USE OF PUBLIC AND PRIVATE SANITARY SEWERS, PRIVATE DISPOSAL SYSTEMS, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATER AND WASTES INTO THE COUNTY SANITARY SEWER SYSTEM; AND PROVIDING PENALTIES FOR VIOLATION THEREOF; THE LEVYING OF CHARGES FOR WASTEWATER SERVICES (USER CHARGES); REGULATIONS FOR THE EXTENSION OF THE MADISON COUNTY SEWER SYSTEM; AND RECOUPMENT RULES AND REGULATIONS.

Passed and Approved September 18, 1996

Published in Pamphlet Form September 28, 1996



Debbie Saltich
County Clerk

INDEX

		Page No.
Chapter I	Definitions	1
Chapter II	Sewer Use Regulations	2
Article I	Use of Public Sewers Required	2
Article II	Private Sewage Disposal	2
Article III.	Building Sewers and Connections	2
Article IV	Use of the Public Sewers	4
Article V	Protection of Sewage Works from Damage	5
Article VI	Powers and Authority of Inspectors	5
Article VII	Penalties	5
Chapter III	Wastewater Service Charges for Sanitary Sewer Service in Madison County Special Service Area No. 1	6
Article I	Wastewater Service Charges	6
Article II	General Provisions	6
Chapter IV	Submission of Revenue and Approval of Plans and Specifications for Extension of the Sewer System in Special Service Area No. 1	7
Chapter V	Recoupment Rules and Regulations	8
Chapter VI		9
Article I	Effective Date of Rates	9
Article II	Adoption and Separability	9
Appendix #1	Applications for Sewer Permits	9

ORDINANCE NO. 96-12

AN ORDINANCE AMENDING ORDINANCE NO. 91-5, AS AMENDED, REGULATING THE USE OF PUBLIC AND PRIVATE SANITARY SEWERS, PRIVATE DISPOSAL SYSTEMS, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATER AND WASTES INTO THE COUNTY SANITARY SEWER SYSTEM; AND PROVIDING PENALTIES FOR VIOLATION THEREOF; THE LEVYING OF CHARGES FOR WASTEWATER SERVICES (USER CHARGES); REGULATIONS FOR THE EXTENSION OF THE MADISON COUNTY SEWER SYSTEM; AND RECOUPMENT RULES AND REGULATIONS.

WHEREAS, it is in the public interest, health and welfare that the discharge of sanitary and other types of waste into the Special Service Area No. 1 be regulated for the protection of the system and so that the treatment of wastes can be carried out in the most efficient and economical manner; and

WHEREAS, it is necessary to provide for the costs of providing sewage treatment, and the operation and maintenance of the County Sanitary Sewer System;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF MADISON COUNTY, ILLINOIS, as follows:

CHAPTER I DEFINITIONS

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

Section 1: Federal Government

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

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

"Federal Grant" is the funds provided by U. S. Government participation in the financing of the construction of wastewater facilities as provided for by Title II - Grants for Construction of Treatment Works of the Act and implementing regulations.

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

Section 2: Local Government

"County" is the County of Madison, Illinois.

"Ordinance" is this ordinance.

Section 3: State Government

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

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

"State Grant" is the funds provided by the State of Illinois participation in the financing of the construction of wastewater facilities.

Section 4: Wastewater and Its Characteristics

"BOD" (denoting Biochemical Oxygen Demand) is the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter.

"Effluent Criteria" are defined in any applicable "NPDES Permit".

"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 oil if it is properly pretreated and the wastewater does not interfere with the collection system.

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

"Industrial Waste" is 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" is 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 (10%) of the flow carried by the system receiving the waste; or (c) has in its waste, a toxic pollutant in toxic amounts as defined in standards issued under applicable

Federal law or regulations; 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 the treatment works.

"Milligrams per Liter" is 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.

"ph" is the logarithm (base 10) of the reciprocal of the hydrogen ion concentration expressed by one of the procedures outlined in "Standard Methods".

"ppm" is parts per million by weight.

"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 .17 pounds of BOD and .20 pounds of suspended solids.

"Properly Shredded Garbage" is the waste from the preparation, cooking, and dispensing of food, 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 (1/2) inch (1.27 centimeters) in any dimension.

"Sewage" is used interchangeably with "wastewater".

"Slug" is discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period longer than fifteen (15) minutes five (5) times the average twenty-four (24) hours concentration or flows during normal operation.

"Standard Methods" are 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.

"Suspended Solids" are 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 in accordance with procedures set forth in "Standard Methods".

"Unpolluted Water" is water of quality equal to or better than the effluent criteria in effect or that would not cause violation of receiving water quality standards, and which would not be benefited by treatment, in the wastewater facilities.

"Wastewater" is the spent water of a community. It may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and stormwater.

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

Section 5: General

"Basic User Charge" is the basic assessment levied on all users of the wastewater facilities.

"Building Drain" is that part of the lowest piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the building and conveys it to the building sewer or other approved point of discharge, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

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

"Combined Sewer" is a sewer which is designed and intended to receive wastewater, storm, surface and groundwater drainage.

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

"Cost for Industrial Users" is the cost to be recovered from an industrial user.

"Debt Service Charge" is the amount to be paid in a year by a user for interest and principal and shall be computed by dividing the annual debt service by the number of users connected to the Wastewater Facilities.

"Easement" is a legal right for the use of land owned by others.

"Enterprise Fund" is a fund established to finance and account for the acquisition, operation and maintenance of governmental facilities and services which are entirely or predominantly self-supporting by user charges.

"Natural Outlet" is an outlet into a watercourse, pond, ditch, lake, or

other body of surface or groundwater.

"Person" is 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.

"Pretreatment" is the treatment of wastewaters before introduction into the wastewater treatment works.

"Public Sewer" is a sewer provided by or subject to the jurisdiction of the County of Madison. It includes sewers within or outside the County boundaries that serve one or more persons and ultimately discharge into the County sewer system, whether or not constructed with County funds.

"Replacement" is an expenditure 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.

"Sanitary Sewer" is a sewer that 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.

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

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

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

"Shall" is mandatory; "may" is permissible.

"Storm Sewer" is a sewer that carries storm, surface and groundwater drainage but excludes sewage and industrial wastes other than unpolluted water.

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

"Surcharge" is the assessment in addition to the basic user charge and debt service charge which is levied on persons whose wastes are greater in strength than the concentration values established in Chapter III.

"Useful Life" is the estimated period during which the collection system and treatment works will be operated and is thirty (30) years from the date of start-up of any wastewater facilities constructed with a State Grant.

"User Charge" is a charge levied on users of the sewage system for all costs relating to operation and maintenance.

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

"Wastewater Service Charge" is the charge levied on all users of the Wastewater Facilities. The service charge shall be computed as outlined in Chapter III, Article I and shall consist of the total of the User Charge, the Debt Service Charge and a surcharge, if applicable.

"Wastewater Treatment Works" is 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".

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

Section 6: User Types

"Commercial" user is any user of the sewer system not classified as residential or excluded as industrial. A commercial facility is a place of business, a point of trade or commerce, or a location concerned with the execution of sales and generation of income. Schools, not-for-profit institutions, municipal buildings, mobile home parks, and single family residences from which a business is operated, unless separately and individually metered, are considered and classified as "Commercial".

"Industrial User" is 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:

- (a) Division A - Agriculture, Forestry, and Fishing.
- (b) Division B - Mining.
- (c) Division D - Manufacturing.
- (d) Division E - Transportation, Communications, Electric, Gas & Sanitary Services.
- (e) Division I - Services.

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

"Residential" user is any user of the sewer system not an industrial user or a commercial user. A "Residential" dwelling is an abode, a single

family or multiple family residence, and a place from which no business affairs or transactions occur on a regular basis. Any residence from which a business is operated, unless separately metered, is considered and classified as "Commercial".

"User Class" is the type of user, either "residential" or "commercial" or "industrial" as defined herein.

CHAPTER II SEWER USE REGULATIONS

ARTICLE I

Use of Public Sewers Required

Section 1: It is unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner on public or private property within Special Service Area No. 1 or in any area under the jurisdiction of the County, any human or animal excrement, garbage, or other objectionable waste.

Section 2: It is unlawful to discharge to any natural outlet within the Special Service Area No. 1, or in any area under the jurisdiction of the County, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Section 3: Except as hereinafter provided, it is unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

Section 4: The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the County and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the County, 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 ninety (90) days after date of notice to do so, provided that such public sewer is accessible within 200 feet of the property line, unless a special exception is granted by the County.

ARTICLE II

Private Sewage Disposal

Section 1: Where a public sanitary or combined sewer is not available under the provisions of Article I, Section 4, the building sewer shall be connected to a private sewage disposal system complying with the requirements and regulations of the County.

Section 2: Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit from the Madison County Building and Zoning Department.

Section 3: When a public sewer becomes available to a property, whether or not the property is served by a private or semi-public sewage disposal system, a connection shall be made to the public sewer within 90 days in compliance with this ordinance.

Section 4: The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, and at no expense to the County.

Section 5: No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the County of Madison or the State of Illinois.

ARTICLE III

Building Sewers and Connections

Section 1: No unauthorized person shall uncover, use, alter, disturb, install, repair or make any connections with, or opening into the public sewer or appurtenances thereof without first obtaining a written permit from The Superintendent.

Section 2: All disposal by any person into the sewer system is unlawful except those discharges in compliance with Federal standards promulgated pursuant to Federal law and State and local standards (where more stringent), and Article IV of this Chapter II.

Section 3: There shall be two divisions of building permits, each division being divided into two classes. Division I permits shall be issued to permit the connection to the sewer of properties included in the geographical bounds of Special Service Area #1 as of November 15, 1995, and shall be divided into three classes: (a) residential, (b) commercial, and (c) industrial. Division II permits shall be issued to permit sewer connection of properties annexed to Special Service Area #1 after November 15, 1995, and shall be divided into two classes: (a) residential, and (b) non-residential.

In any case, the owner or his agent shall make an application on a

special form furnished by the County of Madison (reference Appendix #1). The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A connection fee shall be paid to the County of Madison for each sewer connection at the time the application is filed, and the permit shall be issued by the Superintendent. The connection fees shall be as follows:

DIVISION I

Residential, single family	\$ 750.00
Commercial (including multiple family residential)	\$ 950.00
Industrial	\$1500.00

DIVISION II

Single family residence or multiple family residence (per building)	\$1500.00
Non-Residential	\$2000.00

To obtain a permit for service which generates industrial waste, the waste generating user must provide information describing its type of activity, and waste water constituents, characteristics, and quantity of flow. The application for permit shall be made to The Superintendent. If at any time said user increases its flow more than fifty percent (50%), or changes its connection, its discharge of waste, or the nature, character or strength of the discharge, then the permit shall no longer be valid and a new permit application shall be made to The Superintendent.

All connection fees shall be held and used solely to replace, construct or reconstruct sewers, appurtenant facilities and other capital assets of Special Service Area No. 1. All interest generated by connection fees may be used for the operation and maintenance of the system.

Section 4: A building sewer permit will not be issued nor a sewer connection allowed unless applicant can demonstrate that 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.

Section 5: All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the County from any loss or damage that may directly or indirectly be occasioned by the installation, maintenance or operation of said sewer.

Section 6: A separate and independent building sewer shall be provided for every building and a tap fee charged for each; except that where one building stands at the rear of another on an interior lot and no private sewer is available nor can one be construed to the rear building through an adjoining alley, or driveway, the building sewer from the front building may be extended to the rear building, provided a suitable cleanout is installed at the junction of the two sewers, and the whole considered as one building sewer, but a separate tap fee shall be charged for each building. Other exceptions will be allowed only by special permission granted by The Superintendent for good cause.

Section 7: Old building sewers may be used in connection with new buildings only when they are found, on examination and test by The Superintendent, to meet all requirements of this ordinance.

Section 8: The following standards shall be observed in the construction of connections to the County Sewers:

(a) Acceptable pipe materials for conveying sanitary sewage:

(1) Polyvinyl Chloride Pipe: All Polyvinyl Chloride (PVC) plastic pipe shall conform to ASTM D 3034, Type PSM Polyvinyl Chloride (PVC) sewer pipe fittings, SDR (Standard Dimension Ratio) 35, ASTM D 3212 for sewer joints using elastometric seals. Pipe and fittings shall be made from clean rigid Poly (Vinyl Chloride) Compounds and Chlorinated Poly (Vinyl Chloride) Compounds, having physical properties and chemical resistance of cell classifications for pipe of 12454-B, 12454-C or 13364-B, and cell classifications for fittings of 12454-B, 12454-C or 13343-C, conforming to ASTM resin specifications C1784.

All pipe shall have an integral and homogeneous bell end provided with a flexible gasket seal which is in compliance with the requirements of ASTM C 3139 or ASTM D 1869. Lubricant for joining pipe shall be NSF approved.

Protective measures shall be taken during storage and handling of pipe to prevent direct exposure to the sun for extended periods of time.

Polyvinyl Chloride Pipe shall be installed in accordance with ASTM Designation D 2321-83a "Standard Recommended Practice for Underground Installation of Flexible Thermoplastic Sewer Pipe".

(2) Ductile Cast Iron Pipe: Ductile Cast Iron Pipe shall conform to ASA Specification A21.50-1965 (AWWA II-3-65) or ANSI Specification A21.51, (AWWA C151-75) latest revision, with push or rubber joints.

(3) Reinforced Concrete Sewer Pipe: Reinforced concrete sanitary sewer pipe shall be the type known as concrete steel cylinder pipe with

rubber and steel joints and be constructed in accordance with AWWA Standard C-301. The use of elliptical cages will not be permitted. Lift holes for the purpose of handling and laying will not be permitted. Joints for sanitary sewer pipe shall be of rubber and steel, flexible, self-centering type, with "O" ring round rubber gaskets circular in cross section conforming to ASTM C-361. Both the steel bell and the steel spigot shall be securely fastened in the pipe well by welding to the inner cage. Exposed metal surfaces at joints shall receive an approved factory applied metallic coating.

Reinforced concrete sanitary sewer pipe shall be installed in accordance with the Field Installation Procedures listed in ASTM Designation C361-74.

(4) Polyvinyl Chloride Ribbed Pipe: All Polyvinyl Chloride (PVC) ribbed pipe shall conform to ASTM F 794. PVC ribbed pipe shall be homogeneous, of smooth interior with a solid cross-section, and a ribbed exterior. Exterior ribs shall be perpendicular to the axis of the pipe. Pipe and fittings shall be made from clean rigid Poly (Vinyl Chloride) Compounds and Chlorinated Poly (Vinyl Chloride) Compounds, having physical properties and chemical resistance of cell classifications for pipe and fittings of 12454-B, conforming to ASTM resin specifications D 1784. Pipe stiffness at 5% deflection shall be 60 p.s.i. for all sizes when tested in accordance with ASTM D 2412. Polyvinyl Chloride ribbed pipe shall be installed in accordance with ASTM Designation D 2321-83a "Standard Recommended Practice for Underground Installation of Flexible Thermoplastic Sewer Pipe".

(b) Manholes and special structures:

All manholes for sanitary sewers shall be precast manholes conforming with ASTM C 478 with a minimum diameter of 48 inches. Cones and sections shall be substantially free from fractures, large or deep cracks and surface roughness. Slabs shall be sound and free from gravel pockets.

The floor of the manholes shall have invert channels formed at least one-half of the pipe diameter, with the floor of the manholes outside the channels sloped toward the channels not less than one inch per foot and not more than two inches per foot.

All lift holes and joints between precast elements on sanitary sewer manholes shall be made with bituminous material and/or mortar. No visible signs of infiltration/inflow will be allowed.

All cast iron frames, covers and steps shall conform to the requirements of grey iron castings ASTM A 48. All frames and covers shall be provided with bolts for locking the manhole lid to the frame. No lids or frames with holes open to the inside of the manhole shall be allowed.

Connection of Flexible Pipes to concrete sanitary manholes shall be rubber connectors cast in the wall of the manhole.

(c) Allowable leakage:

Before the County of Madison will accept the flow from any sewer system proposed to be discharged into the existing County sanitary sewer system, it shall be the responsibility of the owner of such system to satisfy The Superintendent that the pipe line or lines are not subject to infiltration leakage in excess of 200 gallons per inch of pipe diameter per mile per day, and that no sources of surface inflow exist.

Section 9: The size, slope, alignment, and materials of construction of a building sewer, and the methods to be used in excavating, jointing, testing, and placing of the pipe, and backfilling the trench, shall all conform to the requirements of this ordinance and other applicable rules and regulations of the County of Madison and the requirements of the State of Illinois Environmental Protection Agency. In the absence of ordinance or code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials and the Water Pollution Control Federation Manual of Practice No. 9 shall apply.

Section 10: Whenever feasible the building sewer shall be brought to the building at an elevation below the basement floor. (No building sewer shall be laid parallel to any bearing wall within three (3) feet thereof.) The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment insofar as feasible. Changes in direction or grade shall be allowed only when a manhole or an adequate "cleanout" facility is constructed at the location of the change.

Section 11: In all buildings in which any drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.

Section 12: 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.

Section 13: All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by The

Superintendent. Pipe laying and backfill shall be performed in accordance with ASTM specification C11-59-T (or most current ASTM Designation), except that no backfill shall be placed until the work has been inspected by the County.

Section 14: Approved types of house service connection shall be one of the following:

Type 1: Wye or tee branches installed in the main sewer at the time of construction. Connections to existing wye/tee branches shall be made with an approved type of joint material or an approved compression coupling. The connection shall be completely watertight. No connection shall be allowed to any damaged wye/tee branch. If damage occurs during the making of the connection, the wye or tee branch shall be taken out of the main sewer by the installer and replaced either by undamaged wye/tee or by a straight piece of the same material damaged. If straight pipe is used in the replacement, other approved connection methods shall be used. Concrete encasement of the wye/tee branch, connection joint or any other part of the connection shall not be deemed watertight and shall not be allowed as a method of repairing a damaged joint.

Type 2: Connection of the saddle type installed in the main sewer. Connections of this type shall be made in a smooth round hole, machine drilled into the main sewer pipe by the County at the time of connection.

Type 1 connections may be used in existing sanitary sewers where wye/tee branches previously installed are readily and conveniently available. If existing wye/tee branches cannot be found readily or are not located properly for providing the needed service, Type 2 connections shall be made. When new sanitary sewers are constructed, Type 1 connections may be made in cases where the connection to the house is made during construction and before backfilling of the sanitary main sewer trench, or where the depth of the main sewer is such that a riser pipe is necessary. No wye/tee branches shall be installed and covered up for future use unless an approved airtight plug is securely installed to withstand testing pressures.

Type 2 connections shall be made in all cases where house services are installed subsequent to construction and backfilling operations.

Construction of Service Sewer. Every building must be separately connected with a drain sewer outside of the building and connected to the County sewer. No trap of any kind shall be placed at any point where it will check the free flow of the sewer. No form of a trap will be permitted to be used unless same has been approved by The Superintendent.

The sewer from building to main sewer must be constructed of pipe materials conforming to Section 8 of this Article.

The building sewer shall be laid on a minimum 2" thick bedding of an approved 3/8 inch minimum granular material and covered to the centerline with the same material.

Joints on PVC Sewer Pipe shall be made with an approved rubber sealing ring.

Where the main sewer is tapped, an approved saddle fitting must be used. The joint between the saddle and the main sewer shall be made with an approved bonding material and shall be encased with a sand and cement mortar mix where additional strength or support is required. The joint between the saddle and the building sewer shall be made with an approved resilient sealing ring.

The building sewer lateral from the main County sewer to the building joint shall be at least 6" in diameter. Where there is a change in size of the sewer, an increaser shall be used. The increaser shall be the same material as the sewer pipe being used or may be an approved resilient reducing coupling, fastened at either end with a stainless steel band with stainless steel bolts.

The joint between the building sewer and the cast iron stub out of the building shall be made with an approved resilient coupling, fastened to the pipe on either end by a stainless steel band with stainless steel bolts. Where additional strength or support is required, the joint shall be encased with a sand and cement mortar mix.

Section 15: The applicant for a sewer permit shall notify The 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 Superintendent or his representative.

Section 16: All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Persons making excavations for sewer installations on public property shall furnish The Superintendent with a certified copy of a liability insurance policy in the amount of \$50,000 for property damage, including contractual liability, and a \$100,000 personal injury liability policy. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the County and other governmental agencies affected.

Section 17: For purposes of this ordinance the term "industrial waste connection" is any connection where there is a process waste discharged in the sewer system in addition to the waste typical of a commercial or residential connection.

ARTICLE IV

Use of the Public Sewers

Section 1: No person shall discharge, or cause to be discharged, any stormwater, surface water, groundwater, roof runoff, sub-surface drainage, uncontaminated cooling water, water from any private water system, or unpolluted industrial process waters to any sanitary sewer.

Section 2: No person shall discharge, or cause to be discharged, any of the following described waters or wastes to any public sewers:

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

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

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

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

(e) The contents of any privy, privy vault, cesspool or septic systems.

(f) Any substance from a gasoline filling station, garage, car-wash facility, refining plant, chemical plant, packing house, slaughter house, lard rendering establishment, dairy, steam plant, or any other establishment which would tend to obstruct or damage the sewers, or cause a nuisance, or endanger the public health or safety, or endanger persons who might be in such sewers, nor shall an establishment which emits such substances be connected with any public sewer, or to any private sewer which discharges directly or indirectly into any public sewer: EXCEPT through one or more Special Service Area No. 1 approved intervening catch basins or traps.

If the substance discharged by any establishment cannot be so intercepted or trapped as to render the discharged substance harmless to the sewer, not dangerous to the public health or safety, and not dangerous to persons who may enter such sewers, the discharge from such plant shall be entirely excluded from the sewer.

Any approved catch-basin or trap shall be maintained and operated in a manner satisfactory to the Special Service Area No. 1, and the substance removed from such catch-basins and traps shall not be deposited in a way or place not previously approved by Madison County.

Waste from car-wash facilities provided with proper traps or sump shall be discharged to adequate sanitary sewers where available. Waste from car-wash facilities shall not be discharged into storm sewers or surface drains without adequate treatment previously approved by Madison County.

Section 3: No person shall discharge or cause to be discharged the following described substances, materials, water and wastes:

(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 (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32°F) and one hundred fifty degrees Fahrenheit (150°F). (0°C and 65°C).

(c) Any garbage that has not been properly shredded.

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

(e) Any waters or wastes containing iron, chromium, copper, zinc, or similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement.

(f) Any waters or wastes containing phenols or other taste or odor producing substances in such concentrations as to exceed limits of the State, Federal, and other public agencies having jurisdiction for such discharge to the receiving waters.

(g) Any radioactive wastes or isotopes of such half-life or concentration as exceed limits of applicable State or Federal regulations.

(h) Any waters or wastes having a ph in excess of 9.5.

(i) Any mercury or any of its compounds in excess of 0.0005 mg/l as Hg at any time except in compliance with applicable State and Federal regulations.

(j) Any cyanide in excess of 0.025 mg/l at any time except as in compliance with applicable State and Federal regulations.

(k) Materials which exert or cause:

(1) unusual concentrations of inert, suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate);

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

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

(4) unusual volume of flow or concentrations of wastes constituting "slugs" as defined herein;

(l) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment process 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.

Section 4: 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 3 of this Article, and/or which are in violation of the standards for pretreatment provided in Chapter I, 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, The Superintendent shall notify the District Engineer who shall make an investigation and both of the above parties shall report to the Special Service Area No. 1 Committee, which 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;

(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 of this Article.

(e) do any or none of the above (if waste is not rejected).

If the Special Service Area No. 1 Committee permits the pretreatment or equalization of waste flows, the design and installation of the plans and equipment shall be subject to the review and approval of the County of Madison subject to the requirements of all applicable codes, ordinances, and laws.

Section 5: Grease, oil, and sand interceptors shall be provided when, in the opinion of The 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, except for multiple dwelling units. All interceptors shall be of a type and capacity approved by the Special Service Area No. 1 Committee and shall be located as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gastight and watertight. Where installed, all grease, oil, and sand interceptors shall be maintained by the owner at his expense, in continuously efficient operation at all times.

Section 6: 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.

Section 7: Each industry shall be required to install a control manhole and, when required by the Special Service Area No. 1 Committee, 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 accessible and safely located, and shall be constructed in accordance with plans approved by the Engineer and the Special Service Area No. 1 Committee. 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.

Section 8: 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 County of Madison 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 Engineer, but no less than once per year the industry must supply a complete analysis of the constituents of the wastewater discharge to assure that the compliance with the Federal, State, and local standards are being met. The owner shall report the results of measurements and laboratory analyses to the Engineer at such times and in such manner as prescribed by the Special Service Area No. 1 Committee. The owner shall bear the expense of all measurements, analyses, and reporting required by the County of Madison. At such times as deemed necessary, the Special Service Area No. 1 Committee reserves the right to take measurements and samples for analysis by an outside laboratory service.

Section 9: All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, 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) hours composite of all outfalls of a premise is appropriate or whether a grab bag 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.)

Section 10: No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the County of Madison and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the County for treatment, subject to payment therefor in accordance with Chapter III, by the industrial concern.

ARTICLE V

Protection of Sewage Works from Damage

Section 1: No unauthorized person shall knowingly, maliciously, willfully, or recklessly break, damage, destroy, or tamper with any structure, appurtenance, or equipment which is a part of the wastewater facilities. Any person violating this provision shall be subject to immediate arrest under the charge of "criminal damage to property", and civil liability to Madison County.

ARTICLE VI

Powers and Authority of Inspectors

Section 1: The Superintendent and other duly authorized employees of the County, and representatives of State and Federal agencies, 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 ordinance. The Superintendent, or his representatives, shall have authority to inquire into any processes, including metallurgical, chemical, oil refining, ceramic, paper, or other industries but only as required to determine the kind and source of discharge to a sewer, a watercourse or wastewater facility.

Section 2: While performing the necessary work on private properties referred to above, The Superintendent, his duly authorized representatives, and all State and Federal employees shall observe all safety rules applicable to the premises and the company shall be held harmless for injury or death to the County employees and the County shall indemnify the company against loss or damage to its property by County 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.

Section 3: The Superintendent and other County employees bearing proper credentials and identification shall be permitted to enter upon private property over which the County holds an easement, for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of the wastewater facilities. All entry and work shall be done

in full accordance with the terms of applicable easements.

**ARTICLE VII
Penalties**

Section 1: The County Board may revoke any permit for sewage disposal as a result of any violation of any provision of this ordinance.

Section 2: Any person who shall violate any provision of this ordinance other than the provisions for payment of user fees shall be guilty of a misdemeanor, and on conviction thereof, shall be fined in the amount not exceeding Five Hundred Dollars (\$500.00) for each violation. Each day on which any violation shall continue shall be deemed a separate offense.

Section 3: Any person who shall tap-on, connect, or otherwise make use of the sanitary system without first obtaining a sewer permit shall be subject to a fine for violation of this ordinance not to exceed Five Hundred Dollars (\$500.00)

After written notice to disconnect such illegal connection, each day such violation continues shall constitute a separate violation of this section.

Section 4: Any person violating any of the provisions of this ordinance shall become liable to the County for actual damages sustained by reason of such violation.

**CHAPTER III
WASTEWATER SERVICE CHARGES
FOR SANITARY SEWER SERVICE IN
MADISON COUNTY SPECIAL
SERVICE AREA NO. 1**

**ARTICLE I
Wastewater Service Charges**

Section 1: Basis for Wastewater Service Charges:

The wastewater service charges for the use of and for service supplied by the wastewater facilities shall consist of a basic user charge for operation and maintenance, which shall include the treatment charges and debt service charges to be paid by the County to the City of Granite City, as per Written Contract.

The basic user charge shall be based on water usage or effluent having the following normal concentrations:

- (a) a five-day, 20-degree centigrade (20°C) bio-chemical oxygen demand (BOD) of 200 mg/1;
- (b) a suspended solids (SS) content of 250 mg/1.

The basic user charge includes operation and maintenance costs plus replacement allowance and shall be computed as follows:

- (a) Estimate the projected annual revenue required to operate and maintain the wastewater facilities including a replacement fund and a sewer system reserve fund for the year, for all works categories.
- (b) Allocate the estimated costs to wastewater facility categories by volume, suspended solids and BOD, if possible.
- (c) Estimate wastewater volume, pounds of suspended solids, and pounds of BOD to be treated.
- (d) Allocate the estimated costs to non-industrial and industrial users by volume, suspended solids and BOD.
- (e) Compute costs for normal sewage strength.
- (f) Compute costs for BOD and SS in excess of normal sewage strength.

A surcharge will be levied to all users whose waters exceed the normal concentration for BOD (200 mg/1) and SS (250 mg/1). The surcharge will be based on water usage as recorded by water meters or sewage meters.

Section 2: Measurement of Flow:

The volume of flow used for computing basic user charges and surcharges shall be the metered water consumption.

(a) If a person discharging wastes into the public sewers procures any part from sources other than the public waterworks system, all or any part of which is discharged into the public sewers, the person shall install and maintain, at his expense, meters of a type approved by The Superintendent for the purpose of determining the volume of effluent, and shall install the same in a manner and location approved by The Superintendent.

(b) Devices for measuring the volume of waste discharged may be required by The Superintendent if volumes cannot otherwise be determined from metered water consumption records.

(c) Metering devices for determining the volume of waste shall be installed, owned and maintained by the person. Such meters may not be installed, moved or removed without the consent of The Superintendent, unless service is terminated. Meters which purport to determine volume of flow by measuring the number of hours of pump operation shall be permitted only upon determination by The Superintendent that no other

See Amending Ordinance
2005-07 Attached

metering device is feasible and then only for a period not exceeding three (3) months. Renewals of such permits shall not be granted unless The Superintendent determines the interests of the County will be served thereby.

Section 3: User Rates

(a) Residential users shall be charged a fixed rate of \$14.80 per month for all single family residences.

(b) Commercial users, industrial users, mobile home parks, and all multiple family dwellings (dwellings containing two or more living units) shall be charged the larger of the following:

- 1. Either \$44.40 per calendar quarter where water consumption or metered sewer usage is equal to or less than 15,405 gallons for the quarter or
- 2. \$.18 per 100 gallons for all water consumption or metered sewer usage plus \$16.65 per quarter.

If there is no meter, the fee shall be an agreed amount, and if there is no agreement, the fee shall be \$100.00 monthly.

(c) The user rates for residential, commercial, mobile home parks and industrial users have been established to assure that each recipient of waste treatment services will its proportionate share of costs. All of the user rates contained in this ordinance are based upon the following individual components:

SEWER USER CHARGES

1. Administration	\$1.58/mo.
2. Capital Expenditures	\$3.97/mo.
3. Operation and Maintenance	\$0.64/1000 gal.
4. Sewage Treatment	\$0.99/1000 gal.
5. Depreciation	\$0.17/1000 gal.
Total \$1.80/1000 gal. + \$5.55/mo.	

(d) The owners and tenants of all buildings within two hundred feet (200 ft.) of a sewer line were, by ordinance, required to be attached to the Special Service Area No. 1 sewer line by November 15, 1981. Each such owner or tenant shall pay the minimum charge regardless whether they are properly connected to the sewer. The payment of such sewer charge shall not abrogate the right of the Special Service Area No. 1 or the Illinois EPA to require connection nor the penalty provisions set out herein. This provision shall not apply to homes or buildings rendered uninhabitable due to fire or other damage, and shall not apply to owners or tenants who are using sewer lines not owned by Special Service Area No. 1.

(e) No sewer connection shall be required or charge made for service to any building that is used solely as a warehouse, or similar facility, wherein there are no plumbing facilities nor water supply.

Section 4: Industrial Waste Surcharge

Wherever sewage or industrial waste discharge from any lot, parcel of land or premises in the sanitary sewerage system has suspended solids content in excess of two hundred fifty (250) milligrams per liter or BOD in excess of two hundred (200) milligrams per liter as determined by tests conducted or supervised by The Superintendent, there shall be an additional charge or surcharge as follows:

- (a) \$0.25 per lb. of BOD per 1000 gallons sewage
- (b) \$0.131 per lb. of SS per 1000 gallons sewage

This surcharge shall be charged and paid in addition to all other charges.

Section 5: Computation of Surcharge

The concentration of wastes used for computing surcharges shall be established by waste sampling and flow monitoring. The Superintendent shall maintain a program of sampling and monitoring industrial user discharges as often as The Superintendent deems necessary, provided that any major contributing industry shall be sampled and monitored no less than twelve (12) times annually, and any industrial user that has a population equivalent greater than or equal to 50 shall be sampled and monitored no less than once annually. All other industrial users shall be sampled and monitored at such frequency as deemed necessary by The Superintendent.

Section 6: Any person who connects to the sewer without obtaining a proper permit and complying with this ordinance shall be subject to the fines provided herein and, further, shall be charged triple the user rate for the time that he was illegally connected to the sewer.

Section 7: Contracts with Governmental Agencies

The County shall have and reserves unto itself the right to enter into various contracts with other governmental agencies for the conveyance and treatment of wastewater upon such terms and conditions as may be deemed appropriate by the County Board.

ARTICLE II GENERAL PREVISIONS

Section 1: Bills

All user charges and surcharges shall be paid monthly. The owner and the occupant of premises to which sewer service has been provided or to which a charge has been or could be levied, shall be jointly and severally liable to pay for the service to such premises. The service is furnished to the premises only upon the condition that the owner of the premises and the occupant are jointly and severally liable therefor to the County.

Bills for sewer service shall be sent out by the Special Service Area No. 1 on or before the 5th day of each month and due on the 15th day of such month succeeding the period for which the service is billed.

A penalty of ten percent (10%) shall be added to the current charge on all bills not paid by the 23rd day of each month. A further service charge of one percent (1%) of the total due shall be added every month the bill is delinquent thereafter.

All payments shall be credited first to the oldest amount charged against the account.

Section 2: Lien-Notice of Delinquency:

Whenever a bill for sewer service remains unpaid for sixty (60) days after it has been rendered, The Superintendent may file with the County Recorder of Deeds a statement of lien claim. This statement shall contain the legal description or street address or both of the premises served, the amount of the unpaid bill, and a notice that the County claims a lien for the amount.

Section 3: Foreclosure of Lien:

Property subject to a lien for unpaid charges shall be sold for non-payment of the same, and the proceeds of the sale shall be applied to pay the charge, after deducting costs, as in the case of the foreclosure of statutory liens. Such foreclosures shall be filed in the name of the County. The County is hereby authorized and directed to institute such proceedings in any court having jurisdiction over such matters against any property for which the bill has remained unpaid ninety (90) days after it has been rendered, or pursue an action in debt, or both.

Section 4: Revenues:

All revenues and monies derived from the operation of the sewer system shall be deposited in a bank (or banks) to be designated by the Special Service Area No. 1 Committee, and the account shall be in the name of Special Service Area No. 1 Enterprise Fund, Madison County, Illinois. The Treasurer of Madison County shall have no responsibility for the funds until transferred to the account of the Treasurer of Madison County. Each week said bank (or banks) shall transfer all funds then in the account to a bank designated by the Treasurer of Madison County. The Superintendent shall be responsible for making such deposits, and the Insurance Coordinator shall notify the bonding company so that The Superintendent may be properly bonded.

Section 5: Notice of Rates:

A copy of this ordinance, properly certified by the County Clerk, shall be filed in the office of the Recorder of Deeds of Madison County and shall be deemed notice to all owners of real estate to the charges of the sewerage system of the County.

Section 6: Penalty:

Any person, firm or corporation violating any provisions of this article shall be fined not more than Five Hundred Dollars (\$500.00) for each offense.

Section 7: Access to Records:

The Illinois Environmental Protection Agency or its authorized representative shall have access to any books, documents, papers and records of the County which are applicable to the County system of user charges for the purpose of making audit, examination, excerpts and transcriptions thereof to insure compliance with the terms of the Special and General Conditions to any State Grant.

Section 8: Governing Body and Advisory Board:

The County Board of Madison County shall be the governing body of Special Service Area No. 1. Such board does hereby appoint a committee to serve in the same capacity as other committees of the County Board, which Committee shall be known as the Special Service Area No. 1 Committee and shall consist of five members of the County Board including three from the townships of Venice, Nameoki, and Chouteau, and two from the county at large.

Section 9: Appointment of Superintendent:

The County Chairman, with the approval of the County Board, shall appoint The Superintendent for the Special Service Area No. 1.

Section 10: Special Service Area No. 1 Indebtedness:

The Special Service Area No. 1 has incurred, and may in the future incur, indebtedness to the County of Madison. No indebtedness or loan may be made by the Special Service Area No. 1 without the prior approval of the Madison County Board. The Madison County Board shall determine when and how such indebtedness shall be repaid. It is the policy of Madison County that the Special Service Area No. 1 shall be self-supporting and shall receive no benefits from the County except those received by the other taxing bodies within the County.

The County Auditor shall keep a permanent record of the indebtedness as well as the record of the costs that are incurred by the County for services rendered by other departments, which shall be available at all times.

CHAPTER IV

SUBMISSION OF REVENUE AND APPROVAL OF PLANS AND SPECIFICATIONS FOR EXTENSION OF THE SEWER SYSTEM IN SPECIAL SERVICE AREA NO. 1

Section 1: All proposed sanitary sewer facilities and extensions shall comply with the regulations of the Illinois Department of Public Health and the Illinois Environmental Protection Agency, and with the requirements of the County of Madison.

Section 2: Sewage collection lines shall not be smaller than eight (8) inches in diameter.

Section 3: Any individual or developer wishing to construct and/or install a sanitary sewer extension to be connected to the County Sanitary Sewer system shall submit a written request of such intent to Madison County Board, or its designated Official or Committee.

The individual or developer wishing to construct and/or install a sanitary sewer extension shall select any engineer of his choice to provide design engineering and construction observation services for the sanitary sewer extension. The engineer must be registered in the State of Illinois as a Professional Engineer (P.E.) and approved by the Madison County Board. The individual or developer shall submit a written request for approval of the engineer to Madison County, or its designated Official or Committee. The individual or developer shall be responsible for payment of all engineering fees associated with the sanitary sewer extension, and said payment shall be made directly to the engineer.

Section 4: The individual or developer wishing to construct and/or install a sanitary sewer extension shall demonstrate to Madison County, its designated Official or Committee, that the downstream sewerage facilities, including sewers, pump stations, and waste-water treatment facilities, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load from the proposed sanitary sewer extension. If the individual or developer cannot demonstrate such adequate reserve capacity to the satisfaction of the County, it shall be the responsibility of the individual or developer to sufficiently upgrade the County's downstream sewerage facilities to provide the required capacity, up to and including the first pump station and related discharge force main downstream from the proposed sanitary sewer extension. It shall be the County's responsibility to sufficiently upgrade all downstream sewerage facilities beyond the first pump station and related discharge force main as may be deemed necessary by the County to provide adequate capacity for the proposed sanitary sewer extension.

Section 5: The individual or developer wishing to construct or install a sanitary sewer extension shall solicit bids and award contracts for the construction of the sanitary sewer extension only after funds have been properly placed in escrow. The individual or developer, or the individual/developer's contractor, must provide Madison County, its designated Official or Committee, with evidence of bonds and insurance sufficient to meet the County's requirements.

Section 6: The individual or developer's engineer shall make inspections of the sanitary sewer extension as are needed to assure that the construction is being performed in accordance with the plans and specifications. The sanitary sewer extension shall be tested by the engineer in accordance with the requirements stated in the current edition of the "Standard Specifications for Water and Sewer Main Construction in Illinois".

Section 7: Payments to the individual or developer's contractor for the cost of constructing the sanitary sewer extension shall be made by Madison County, using the funds placed in escrow as described in Section 3. The individual or developer's engineer shall estimate the percent of completion of the sanitary sewer extension for the purpose of making partial payments. No payments shall be made by Madison County from the escrow

account without the approval of the sewer superintendent of the Madison County Special Service Area No. 1.

Section 8: The individual or developer shall dedicate the sanitary sewer extension to Madison County for the use of the public forever. All easements and/or rights-of-way across private property necessary for the construction, operation, maintenance, and replacement of the sanitary sewer extension shall be obtained by the developer and dedicated to Madison County. The individual or developer shall obtain all necessary permits on behalf of Madison County from regulatory agencies governing the construction and operation of the sanitary sewer extension.

Section 9: Any funds that shall be remaining in the escrow account upon completion of the sanitary sewer extension project shall be returned to the developer by the County.

Section 10: Construction specifications and materials standards for the sanitary sewer extension shall meet the requirements of the current edition of the "Standard Specifications for Water and Sewer Main Construction in Illinois", or as shall be modified from time to time by County action and approval. All sewage pump stations installed as part of extensions to the Special Service Area No. 1 sewer system shall be furnished with a remote FM radio telemetry transceiver, antenna, and necessary appurtenances compatible with the Special Service Area No. 1 radio alarm system. The purpose and function of the remote transceivers shall be to monitor alarms and changes of state at remote pump stations as well as to provide control capabilities when addressed by the Special Service Area No. 1 central telemetry and alarm monitoring unit.

CHAPTER V

RECOUPMENT RULES AND REGULATIONS

Section 1: General:

Any owner or owners of real property within the Special Service Area No. 1 ("the owner" for the purpose of this Chapter 5) may make application to Madison County through The Superintendent for the private construction of sanitary sewers, pumping stations, sewage disposal plants and any other sanitary sewer facilities, any one or more of which being hereinafter known as "sewer facility" for purposes of these recoupment rules and regulations. The County Board shall decide whether or not it is in the public interest to proceed with such private construction. The sewer facility shall be dedicated to the County. After approval of the completed facility by the Engineer for the County (hereinafter "Engineer") the County shall accept it.

Section 2: Contract Between County and Owner(s):

If the County finds it is in the public interest to construct the sewer facility, the Chairman of the County Board shall have the power to contract with the owner for the construction of the sewer facility to serve the area in which the real estate is located and such other area as can be efficiently served. Approval of the contract by the County Board is necessary to make it binding.

Section 3: Recoupment Provisions:

Any contract entered pursuant to this Chapter 5 shall also provide for the reimbursement to the owner of a fair prorata share of the cost of construction of the sewer facility, by users thereof and users of any collecting sewers connecting thereto who did not contribute to the construction cost, subject to such reasonable rules and regulations as the County Chairman may provide with the approval of the County Board.

Section 4: Submission of Plans, Specifications, Estimates, Approval, Permit:

Plans, specifications, and an estimate of the complete cost of construction must be submitted to and receive the approval of the County before a construction permit will be issued. Regular County inspection and final inspection shall be performed on all construction of recoupment sewer facilities.

Section 5: Definition of Complete Construction Cost:

The costs actually expended for labor and materials, overhead, obtaining rights-of-way, permit and inspection fees, insurance, bond premiums, legal and engineering fees, and other costs essential to the construction of the sewer facility shall be furnished to the County for approval. The Engineer shall examine the costs and upon his approval, as rendered or as adjusted, shall certify the same as the complete construction costs of the facility.

Section 6: Objections to Certified Complete Construction Costs:

Any person objecting to the Engineer's construction costs may appeal to the County Board by filing, with the County Clerk, the specific objections to the costs. The County Board will fix a day for consideration of the objections and send notice thereof to the objector and the builder of the sewer, by certified mail at least ten (10) days prior to the hearing. The County Board's representative, after consideration of all the facts, will fix

the certified complete costs of the sewer facility.

Section 7: Basic Per Acre Cost:

The complete construction cost shall be divided by one-half of the total acres served by the sewer facility to determine the basic per acre cost within the area served.

Section 8: Areas Served by More Than One Sewer Facility:

For areas served by two or more sewer facilities constructed under separate recoupment agreements, the recovered amount shall be divided between the owners based upon the ratio of the actual cost of all completed sewer lines serving the area.

Section 9: Per Lot Charges:

To determine the share of the construction cost which shall be paid as a per lot charge before connecting any lot to a recoupment sewer facility, the following schedule shall be used:

(a) Single Family Dwellings (Zoned)

Zoned Tract or Parcel Size:	Recoupment Connection Charge:
less than 7500 sq. ft.	1/5 the basic per acre cost
7,501 to 10,000 sq. ft.	1/4 the basic per acre cost
10,001 to 20,000 sq. ft.	1/3 the basic per acre cost
20,001 to 43,560 sq. ft.	1/2 the basic per acre cost
more than 43,560 sq. ft.	the basic per acre cost

(b) Single Family Dwellings (not zoned for dwellings)

Parcel Sizes:	Recoupment Connection Charge:
less than 6001 sq. ft.	1/5 the basic per acre cost
6,001 to 7,500 sq. ft.	1/4 the basic per acre cost
7,501 to 10,000 sq. ft.	1/3 the basic per acre cost
10,001 to 20,000 sq. ft.	1/2 the basic per acre cost
more than 20,000 sq. ft.	the basic per acre cost

(c) Other

Parcel Use or Proposed Use:	Recoupment Connection Charge:
Multiple Family Dwelling	1/5 the basic per acre cost multiplied by 75% of the total number of units
Commercial, Light or Heavy Industrial	Basic per acre cost multiplied by number of acres or fraction of an acre improved
Church or School	Basic per acre cost multiplied by number of acres or fraction of an acre improved

(d) For parcels other than above set out, the charge shall be determined by the Engineer who shall give consideration to the character and use of the area to be served and the nature, rate and volume flow characteristics of the load to be placed on the sewer facility. Appeals from the decision of the Engineer may be made to the County Board by filing an application for an appeal to the County within ten (10) days after the aggrieved person is notified of the determination of the charge by the Engineer. The application for appeal shall state in what manner the petitioner has been aggrieved by the determination.

Section 10: Interest on Recoupment Costs:

The party bearing the construction cost of the sewer facility may charge interest on the certified cost at a rate not to exceed eight percent (8%) per annum simple interest, from the date of final approval of construction by the County.

Section 11: Connection Permits to Recoupment Sewer Facility:

The County shall not issue any permit for a connection to the sewer facility until furnished evidence of payment to the party entitled to receive same of the applicable share of cost of the sewer facility.

Section 12: Inability to Obtain Consent of Owner of Sewer Facility:

If any person wishing to connect to a sewer facility constructed under a recoupment agreement shall be unable, after a reasonable effort, to obtain the consent of the owner of the sewer facility, he may apply to the County for a permit to connect to the sewer facility. Upon receiving the application, the Engineer shall make an investigation and shall fix the terms upon which the applicant may connect to and use the sewer facility. If the terms require the payment of money by the applicant, he may pay the same to the County, who in turn shall pay it to the owner of the sewer facility.

Section 13: Reports of Owner of Sewer Facility:

(a) Annual

Each year on or before January 31, a report shall be filed with the County giving the correct name and address of the party entitled to receive recoupment payments (hereinafter "The Payee"), and a record of all payments received for connection to the sewer facility during the preceding calendar year.

In the event of a failure to file the report, the County shall send a notice by certified mail, to the last address of the Payee per County records. If the Payee fails to file the required report within sixty (60) days of mailing of the notice, the Payee shall be deemed to have abandoned the right to receive the

payments and all payments thereafter shall be made to the County.

(b) Interim

If at any time the Engineer has probable cause to suspect that the owner of any recoupment sewer facility is not performing any of the covenants of the recoupment agreement, he may demand, by Certified mail, for a report giving the information required in the annual report, for that portion of the calendar year prior to the date of such demand. If the owner fails to file such report within thirty (30) days after the date of mailing of such demand, the payee shall be deemed to have assigned the right to receive payments to the County.

Section 14: Required Bond:

Any person constructing any recoupment sewer facility shall file a bond with the County Clerk, to be approved by the County Board, in the sum of Twenty-Five Thousand Dollars (\$25,000) or such other amount as the Engineer may determine, payable to the County and to the other interested owners as determined per Section 8 of this Article, as their interests may appear to guarantee payment of the recoupment costs to the owners. The cost of such bond shall be a recoupable item.

Section 15: Subdistrict Payment of Recoupment Charges:

Whenever any sewer improvement, whether local or general, storm, sanitary, combined or otherwise, is to be constructed and financed by the formation of a subdistrict by the Special Service Area No. 1 and will be connected into a recoupment sewer facility to the cost of which the owners in the subdistrict or any of them did not contribute, there shall be included in the Engineer's estimate submitted to the County before the hearing on any such subdistrict improvement, a sum separately itemized equal to the amount provided in or computed from the recoupment agreement, as the fair pro-rata share due from the subdistrict.

Section 16: Extent of and Time Limits of Recoupment:

The right to recoup construction costs shall continue until the total amount of all shares collected from all parcels connected to the sewer facility, excluding interest, equal the certified construction costs of the sewer facility as approved by the County. This recoupment period shall last a period of thirty (30) years from and after the date of final County approval of construction of the sewer facility.

Section 17: Operation and Maintenance of a Recoupment Sewer Facility:

All recoupment sewer facilities shall be operated and maintained by the Special Service Area No. 1 after the County approves final construction thereof.

CHAPTER VI
ARTICLE I

Effective Date of Rates

The rates and service charges established for user charges shall be effective on hook-up.

ARTICLE II

Adoption and Separability

Section 1: Effective Date:

That this ordinance shall be in full force and effect on and after September 18, 1996.

Section 2: Publication:

That this ordinance shall be printed and published in pamphlet form by the County Clerk at least ten (10) days prior to the effective date of this ordinance as set forth in the foregoing section, and at least three copies maintained in the office of the County Clerk at all times for public inspection.

Section 3: Separability:

If any provision of this ordinance or the application thereof to any person or circumstance is held to be unconstitutional or invalid for any reason by any court of competent jurisdiction, the remainder of the ordinance and the application of such provisions to other persons and circumstances shall not thereby be rendered invalid or unconstitutional, or affected thereby, but shall remain in full force and effect.

ADOPTED this 18th day of September, 1996, pursuant to a roll call vote of the Board Members, at which time 28 Board Members voted 'Aye' and 0 Board Members voted 'Nay'.

APPROVED:

Rudolph J. Papa
Rudolph J. Papa,
Chairman of County Board

ATTEST:

Debbie Saltich
Debbie Saltich,
County Clerk

APPENDIX #1

APPLICATIONS FOR SEWER PERMITS

- a) Residential or Commercial Building Sewer
- b) Industrial Sewer

RESIDENTIAL OR COMMERCIAL BUILDING
SEWER APPLICATION

To the County of Madison, Illinois:

A. THE UNDERSIGNED, being the (Owner, Owner's Agent) of property located at (Number, Street) DOES HEREBY REQUEST a permit to install and connect a building sewer to serve the (Residence, Commercial Building, etc.) at said location.

1. The following indicated fixtures will be connected to the proposed building sewer:

Number	Fixtures
_____	Kitchen Sinks
_____	Lavatories
_____	Laundry Tubs
_____	Urinals
_____	Water Closets
_____	Bath Tubs
_____	Showers
_____	Garbage Grinders

Specify other fixtures _____

2. The maximum number of persons who will use the above fixtures is _____.

3. The name and address of the person or firm who will perform the proposed work is _____.

4. Plans and specifications for the proposed building sewer are attached hereto as Exhibit "A".

B. In consideration of the granting of this permit, THE UNDERSIGNED AGREES:

1. To accept and abide by all provisions of applicable Ordinances of the County of Madison, Illinois, and of all other pertinent ordinances or regulations adopted heretofore or hereafter.

2. To maintain the building sewer at no expense to the County.

3. To notify the Sanitary Sewer Superintendent when the building sewer is ready for inspection and connection to the public sewer but before any portion of the work is covered.

DATE: _____

SIGNED: _____
(Applicant)

(Address of Applicant)
(Certification by (City, Village, etc.) Treasurer)

\$ _____ connection fee paid.

\$ _____ inspection fee paid.

Application approved and permit issued:

DATE: _____

SIGNED: _____
(Approving Authority)

INDUSTRIAL SEWER CONNECTION APPLICATION

To the County of Madison, Illinois:

A. THE UNDERSIGNED, being the (Owner, Lessee, Tenant, etc.) of the property located at _____

DOES HEREBY REQUEST a permit to (install, use) an industrial sewer connection serving the (Name of Company) which Company is engaged in _____ at said location.

1. A plat of the property showing accurately all sewers and drains now existing is attached hereunto as Exhibit "A".

2. Plans and specifications covering any work proposed to be performed under this permit is attached hereunto as Exhibit "B".

3. A complete schedule of all process waters and industrial wastes produced or expected to be produced at said property, including a description of the character of each waste, the daily volume and maximum rates of discharge, and representative analyses, is attached hereunto as Exhibit "C".

4. The name and address of the person or firm who will perform the work covered by this permit is _____.

B. In consideration of the granting of this permit THE UNDERSIGNED AGREES:

1. To furnish any additional information relating to the installation or use of the industrial sewer for which this permit is sought as may be adopted in the future.

2. To operate and maintain a control manhole and any waste pretreatment facilities, as may be required as a condition of the acceptance into the public sewer of the industrial wastes involved in an efficient manner at all times, and at no expense to the County.

3. To cooperate at all times with The Sanitary Sewer Superintendent and his representative in their inspecting, sampling, and study of the industrial wastes, and any facilities provided for pretreatment.

4. To notify The Sanitary Sewer Superintendent immediately in event of any accident, negligence, or other occurrence that occasions discharge to the public sewers of any wastes or process or process waters not covered by this permit.

DATE: _____

SIGNED: _____

(Applicant)

(Address of Applicant)

(Certification of (City, Village, etc.) Treasurer)

\$ _____ connection fee paid.

\$ _____ inspection fee paid.

Application approved and permit granted:

DATE: _____

SIGNED: _____

(Approving Authority)

ORDINANCE
2005-⁰⁷
AMENDING ORDINANCE 96-12

BE IT AND IT IS HEREBY ORDAINED BY THE MADISON COUNTY BOARD as follows:

1. Chapter III, Article I, Section 3 (User Rates) of Ordinance 96-12 is hereby amended as more particularly set out below.
 2. Chapter III, Article I, Section 3(a), (b), and (c) of Ordinance 96-12 are hereby repealed.
 3. Hereafter, Chapter III, Article I, Section 3(a), (b), and (c) shall state:
 - (a) Residential users shall be charged a fixed rate of twenty dollars (\$20.00) per month for all single family residences.
 - (b) Commercial users, industrial users, mobile home parks, and all multiple family dwellings (dwellings containing two or more living units) shall be charged the larger of the following:
 1. Either sixty dollars (\$60.00) per calendar quarter where water consumption or metered sewer usage is equal to or less than 15,405 gallons for the quarter or
 2. Twenty-four and six/tenths cents (\$.246) per 100 gallons for all water consumption or metered sewer usage plus sixteen dollars and sixty-five dollars cents (\$16.65) per quarter.
- If there is no meter, the fee shall be an agreed amount, and if there is no agreement, the fee shall be one hundred thirty-five dollars (\$135.00) monthly.
- (c) The user rates for residential, commercial, mobile home parks and industrial users have been established to assure that each recipient of waste treatment services will bear its proportionate share of costs.
 4. No portion of Chapter III, Article I, Section 3 shall be modified except as set forth expressly hereinabove. Paragraphs (d) and (e) remain unchanged.
 5. The new rates set forth hereinabove shall be effective for services provided to sewer users on or after the 1st day of September, 2005.

6. In all other respects Ordinance 96-12 passed September 18, 1996, as amended shall be remain in full force and effect including, but not by way of limitation, the surcharges established under Ordinance passed September 17, 2003.

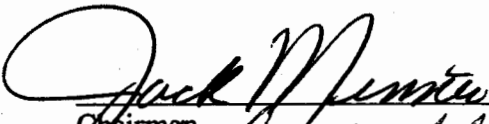
Passed by the Madison County Board this 17th day of August, 2005.


Alan Dunstan, County Board Chairman

Attest:


Mark Von Nida, County Clerk

Recommended by Finance and Government Operation's Committee:


Chairman
