

ORDINANCE NO. 02-23

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATER AND WASTES INTO THE PUBLIC SEWER SYSTEMS; AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF, IN THE SANITARY DISTRICT OF DECATUR, ILLINOIS, MACON COUNTY, STATE OF ILLINOIS, REPLACING ORDINANCE NO. 329 AND ALL AMENDMENTS THERETO.

WHEREAS, the Sanitary District of Decatur, Illinois, Macon County, Illinois, now owns and operates sewage treatment facilities constructed and acquired under the laws of the State of Illinois; and

WHEREAS, the Sanitary District of Decatur, Illinois has under its jurisdiction an extensive system of intercepting sewers and a limited system of lateral sanitary sewers; and

WHEREAS, the City of Decatur, Village of Mt. Zion, Forsyth, Long Creek and District sewer systems are so interconnected that all of the "dry weather flow" of sanitary sewage and industrial wastes discharged to any sewer system here cited and part of the total "wet weather flow" is conveyed to the sewage treatment facilities of the District for treatment; and

WHEREAS, the discharge of certain substances into the public sewer system may be hazardous to the public health or safety, may adversely affect the structure of operation of the public sewer system, or may adversely affect the structure or operation of the sewage treatment facilities; now, therefore,

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE SANITARY DISTRICT OF DECATUR, ILLINOIS, AS FOLLOWS:

SECTION I
Abbreviations and Definitions

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

Part A Abbreviations

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| 1. BOD | Biochemical Oxygen Demand |
| 2. CFR | Code of Federal Regulations |
| 3. COD | Chemical Oxygen Demand |
| 4. CSO | Combined Sewer Overflow |
| 5. FOG | Fats, Oils and Grease |
| 6. IEPA | Illinois Environmental Protection Agency |
| 7. IPCB | Illinois Pollution Control Board |
| 8. IU | Industrial User |
| 9. mg/l | Milligrams per liter |
| 10. NCPS | National Categorical Pretreatment Standards |
| 11. NPDES | National Pollutant Discharge Elimination System |
| 12. POTW | Publicly Owned Treatment Works, owned by the SDD |
| 13. PSES | Pretreatment Standards for Existing Sources |
| 14. PSNS | Pretreatment Standards for New Sources |
| 15. RCRA | Resource Conservation and Recovery Act |
| 16. SDD | Sanitary District of Decatur |
| 17. SIC | Significant Industrial Classification |
| 18. SIU | Significant Industrial User |
| 19. SWDA | Solid Waste Disposal Act (42 USC 6901 <u>et seq.</u>) |
| 20. TSS | Total Suspended Solids |
| 21. TTO | Total Toxic Organics |
| 22. USC | United States Code |
| 23. USEPA | United States Environmental Protection Agency |

Part B Definitions

1. "BOD" means the quantity of oxygen, expressed in mg/l, utilized in the biochemical oxidation of organic matter under standard laboratory procedures as described in Standard Methods 17th ed. method number 5210.
2. "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 which begins five feet outside the inner face of the building wall.
3. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
4. "Combined Sewer" shall mean a sewer designed to receive both surface runoff and sewage.
5. "District" shall mean the Sanitary District of Decatur, Illinois, the Board of Trustees thereof and its Executive Director in executing District Ordinances, policies and programs; and any reference to "within the District" shall mean all territory within the perimeter of the District boundaries.
6. "Executive Director" shall mean the Chief Administrative Officer of the District, or his authorized deputy, agent, or representative.
7. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
8. "Illinois State Plumbing Code" shall mean the code and appendices as filed with the Illinois Secretary of State and any subsequent amendments thereto under the "Illinois Plumbing Code Law." All pertinent parts or sections of said code are adopted and made a part of this Ordinance as though those parts or sections were fully set out herein.
9. "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.
10. "Inflow" means entry of extraneous rain water into a sewer system from sources other than infiltration, such as basement drains, manholes, storm drains, and street washing.
11. "NPDES Permit" shall mean any permit or equivalent document or requirements issued by the Administrator, or, where appropriated by the State Director, after enactment of the Federal Water Pollution Control Amendments of 1972, to regulate the discharge of pollutants pursuant to section 402 of the Federal Act.
12. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.
13. "Person" means any individual, partnership, firm, company, corporation, association, society, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.
14. "pH" means the intensity of the acid or base condition of a solution, calculated by taking the logarithm base 10 of the reciprocal of the hydrogen ion concentration expressed in gram-moles per liter of solution.

15. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch in any dimension.
16. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and which is controlled by public authority.
17. "Sanitary Sewer" shall mean a sewer which is designed to carry sewage and to which storm, surface, and groundwaters are not intentionally admitted.
18. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.
19. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.
20. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.
21. "Sewer" shall mean a pipe or conduit for carrying sewage.
22. "Shall" is mandatory, "May" is permissive.
23. "Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation that causes pass-through interference with the collection system or treatment plant.
24. "Storm Drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
25. "Suspended Solids" shall mean solids that either float on the surface or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
26. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

SECTION II
Use of Public Sewers Required

1. It shall be unlawful to discharge to any natural outlet within the District, any sewage or other polluted waters, except where the District has determined that suitable treatment has been or will be provided.
2. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the District 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 sewer of the District with which building sewers are permitted to connect, 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 official notice to do so.

SECTION III
Private Sewage Disposal

1. Where a proper public sanitary sewer is not accessible, the building sewer shall be connected to an approved private disposal system. No septic tank shall be permitted to discharge to any natural outlet.
2. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Article II, Section A, 2, a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.
3. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the District.
4. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Macon County Health Department, State of Illinois, City of Decatur, Mt. Zion, Forsyth, or Long Creek where applicable.

SECTION IV
Sewers and Connections

1. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof under District jurisdiction without first obtaining a written permit.*
2. No lateral sanitary sewer, public or private, over which the District will not have immediate and continuing jurisdiction shall be connected to the District sewer system without prior approval of the plans therefore by the District. After approval of the plans, the actual connection shall be made under the inspection of and to the satisfaction of the District.
3. The owner, or his agent, seeking a permit for the connection of a building sewer to a public sewer under District jurisdiction shall make application therefore to the Executive Director. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Executive Director. If, in issuing a permit, the Executive Director fixes special conditions thereto, the permit shall be void unless such conditions are fully observed. No permit will be issued for the connection of a building sewer to a public sewer under District jurisdiction for which a tapping fee has been established until after payment of such tapping fee to the District.
4. Except as may be otherwise directed by the District, any permit under which work has not commenced and been reasonably prosecuted to completion shall expire six months from the date of issuance.
5. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
6. 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.

7. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the District, to meet all requirements of this ordinance.
8. The building sewer shall be of suitable size, but of not less than 4" diameter, and have a suitable slope, but of not less than 1/8 inch fall per foot. The alignment, materials of construction and the methods to be used in excavating, placing the pipe, jointing, backfilling the trench, and other features of the building sewer shall all conform to the requirements and specifications of the Illinois State Plumbing Code.
9. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer in accordance with provisions of the Illinois State Plumbing Code for such installations.
10. No person shall have or make connection of roof downspouts, 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.
11. The building sewer shall be connected to the public sewer and by means of the "Y" branch, "T" branch, or special opening left in the public sewer for the specific purpose of making such connection. At locations where a branch or special opening has not been provided in the public sewer, the connection shall be made by first installing a tapping saddle on the public sewer. This installation shall be carefully performed by chiseling the smallest possible opening in the sewer and then cementing the tapping saddle into place to receive the spigot end of the building sewer. The entire connection shall be so caulked, cemented, and sealed with asphaltic joint compound as to be structurally sound and to be watertight and gastight. Any deviation from the prescribed procedures and materials must be approved in writing by the Executive Director before installation.
12. All building sewers, the connection thereof to the public sewer system (whether said public sewer is under City of Decatur or under District jurisdiction), and such portions of existing building systems as may be affected by new work or any changes shall be inspected by authorized District personnel to insure compliance with all the requirements of this ordinance and to assure that the installation and construction of the building sewer and connections thereto is in accordance with approved plans and the conditions of this ordinance.
13. It shall be the duty of the holder of a permit (or his agent) to give notice to the District when the building sewer is ready for test or inspection. No part of the building sewer shall be covered until it has been inspected, tested, and accepted. Conditions of the inspecting and testing shall be as provided in the Illinois State Plumbing Code except that visually inspecting the building sewer may be substituted for water testing if the building sewer is constructed of extra heavy cast-iron soil pipe with lead joints or of standard strength clay sewer pipe with resilient compression joints in accordance with the then current American Society for Testing Materials Standard C-425, or other approved materials.
14. The plumbing and drainage system of any premises within the District shall be maintained in a sanitary and safe operating condition and in conformance with the provisions of this ordinance by the owner or his agent.
15. 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 public agency having jurisdiction thereof.

16. All disposal by any person into the sewer system is unlawful except those discharges in compliance with Federal Standards promulgated pursuant to the Federal Act and more stringent State and local standards.
17. A building sewer permit will only be issued and a sewer connection shall only be allowed if it can be demonstrated that the downstream sewerage, including sewers, pump stations and wastewater Treatment Works, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.
18. Any new building domestic waste connection shall be distinct from the building inflow connection, to facilitate disconnection if a storm sewer becomes available.

SECTION V
Use of the Public Sewers

1. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.
2. Stormwater and all other unpolluted drainage shall be discharged to a natural outlet or to such sewers as are specifically designated as combined sewers or storm sewers. Industrial cooling water or unpolluted process waters may be discharged, on approval of the District, to a storm sewer, combined sewer, or natural outlet.
3. CSO impacts from non-domestic sources will be evaluated on a routine basis and local limits will be established if necessary. New construction tributary to a combined sewer will be designed to minimize and/or delay inflow. Inflow sources, connected to a combined sewer, must be connected to a storm sewer within 180 days, should a storm sewer become available, at the owners expense.
4. The owner, or his agent, seeking a permit for the connection of a building sewer to a public sewer under District jurisdiction shall make application therefore to the District. There shall be three (3) classes of building sewer permits: (a) for residential service, (b) for commercial, institutional and governmental service, and (c) for service to establishments producing industrial wastes. In any case, the owner or his agent shall make application on a special form furnished by the Sanitary District of Decatur. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the District. A permit and inspection fee of \$25.00 for a building sewer permit shall be paid to the Sanitary District of Decatur at the time the application is filed. No permit will be issued for the connection of a building sewer to a public sewer under District jurisdiction for which a tapping fee has been established until after payment of such tapping fee to the District.
5. No person shall discharge or cause to be discharged any of the following described water or wastes to any public sewers:
 - (a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
 - (b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
 - (c) Any waters or waters having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

- (d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground or insufficiently ground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.
 - (a) No person shall discharge or cause to be discharged any substances, materials, waters, or wastes if the District determines that such wastes might harm the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance.
7. 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 5 of this Article, and/or which are in violation of the standards for Pretreatment provided in Federal Rules and Regulations contained in 40 CFR Part 403, and any amendments thereto, and which in the judgment of the District, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the District may:
- (a) Reject the wastes,
 - (b) Require pretreatment to an acceptable condition for discharge to the public sewers,
 - (c) Require control over the quantities and rates of discharge, and/or
 - (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.

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

8. Grease, oil, and sand interceptors shall be provided when the District has determined that they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the District, and shall be located as to be readily and easily accessible for cleaning and inspection. Each interceptor shall be maintained by the owner, at his expense, in continuously efficient operation at all times.
9. No drain from any service station, car washing rack, public garage, dye works, cleaning establishment, food preparation plant, restaurant or other establishment where gasoline, oils, fats, grease or flammable materials are used or stored shall be connected to the public sewer unless said drain is provided with an intercepting pit tank so constructed, vented and trapped as to retain all oil, gasoline, mud, grease, fat or flammable material as may be carried from such establishment in said drain. Such pit tank shall be suitably sized to perform its intended function, but in any event shall be not less than 3 feet square and 4 feet deep with a capacity to retain not less than 22.5 cubic feet of liquid, constructed of 4 inch thick concrete so poured or caulked as to retain all liquids trapped below the outlet to the sewer. The outlet to the sewer shall be extra heavy cast-iron pipe, or other approved materials, not less than 4 inches in diameter and shall extend to within 1 foot of the pit bottom. An adequate clean out shall be provided outside of the pit. The inlet shall be constructed of extra heavy cast-iron soil pipe not less than 4 inches in diameter with an equal sized cast-iron sanitary tee inside the pit, the top of which tee shall be left open and the spigot end submerged in the trapped liquid, which said inlet pipe may extend to any convenient place in the building where it shall terminate in a 12 inch by 12 inch untrapped receptacle or catch basin with a grated cover or such other fixture or fixtures as may be approved by the District. The tank shall have a cast-iron removable man-hole cover not less than 20 inches in diameter and shall be vented

through the building roof with a 2 inch pipe increasing to 3 inches at its passage through the roof. No human or animal excrement shall be discharged into the pit.

10. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
11. When required by the District, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the District. 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.
12. 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 sewer system and upon the sewage works and to determine the existence of hazards to life, limb, and property.
13. Nothing contained in this Article V shall be construed as preventing any special agreement or arrangement between the District and any industrial concern whereby industrial wastes of unusual strength, character or volume are accepted by the District of treatment, subject to payment therefore by the industrial concern. Any such agreement shall specifically set forth what provisions of this ordinance are modified and all other provisions shall remain in full force and effect.
14. 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 District 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 District, but no less than once per year the industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with the Federal, State, and local standards are being met. The owner shall report the results of measurements and laboratory analyses to the District at such times and in such manner as prescribed by the District. The owner shall bear the expense of all measurements, analyses, and reporting required by the District. At such time as deemed necessary, the District reserves the right to take measurements and samples for analysis by an outside laboratory service.

SECTION VI Protection from Damage

1. 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 sewage works. Any person violating this provision shall be subject to arrest and criminal prosecution in addition to payment for damages.

SECTION VII
Powers and Authority of Inspectors

1. Any duly authorized employee or agent of the District, the Illinois Environmental Protection Agency and the U.S. Environmental Protection Agency, bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this Ordinance. The District or its representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

SECTION VIII
Penalties

1. Any person found to be violating any provision of this ordinance except Section VI shall be served by the District 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.
2. Any person who shall continue any violation beyond the time limit provided for in Section VIII, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount of ten dollars (\$10.00) per day per family unit for residential properties and uses and not less than fifty dollars (\$50.00) per day nor more than eight hundred dollars (\$800.00) per day for other properties and uses for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
3. Any person violating any of the provisions of this ordinance may become liable to the District for any expense, loss, or damage occasioned by District by reason of such violation.
4. In addition to any other penalty or action provided or authorized hereby, the District may institute any appropriate action or proceeding to prevent any violation hereof, to restrain, correct or abate such violation.

SECTION IX
Validity

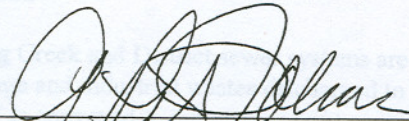
1. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
2. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

SECTION X
Ordinance in Force

1. This ordinance shall take effect and be in full force and effect upon its passage, approval, recording, and publication as provided by law.
2. Presented, passed and adopted by the Board of Trustees of the Sanitary District of Decatur, State of Illinois on the 16th day of October 2002, by the following vote:

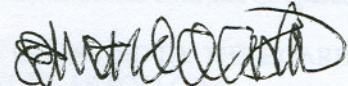
Presented this 16 day of October 2002. 3 Yea

Passed this 16 day of October 2002. 0 Nay



President, Sanitary District
of Decatur Illinois

ATTEST:



Clerk, Sanitary District
of Decatur Illinois

Published this _____ day of _____ 2002.

Effective this _____ day of _____ 2002.

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