

VILLAGE OF DAKOTA
TITLE 8 - CHAPTER 7
SEWER USE ORDINANCE

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ORDINANCE IN FORCE

APPENDIX NO. 1 DEFINITIONS

APPENDIX NO. 2 SEWER PERMIT APPLICATIONS

An ordinance regulating: The use of public sewers and drains, private sewage disposal, the installation and connection of building sewers, the discharge of waters and wastes into the public sewer system, and providing-penalties for violations thereof; the levying of charges for wastewater services (use charges).

In the Village of Dakota

County of Stephenson, State of Illinois.

Be it ordained and enacted by the Board of the Village of Dakota, State of Illinois, as follows:

SUBCHAPTER 1 Use of Public sewers required

- Sec. 1 It is unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within any area under the jurisdiction of the Village any human or animal excrement, garbage or other objectionable waste.
- Sec. 2 It is unlawful to discharge to any natural outlet or watercourse within any area under the jurisdiction of the Village, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.
- Sec. 3 Except as hereinafter provided, and subject to the provisions of any applicable County board of health ordinance, 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.
- Sec. 4 The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the Village and abutting any street, alley, or rightof-way in which there is now located or may in the future be located any public sanitary sewer of the Village, is required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the public sanitary sewer in accordance with the provisions of this chapter, within sixty (60) days after the date of official notice to do so, provided that said sewer is within one hundred feet of the property line.

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SUBCHAPTER 2 Private sewage disposal

- 1 Where a public sanitary (or combined) sewer is not available under the provisions of Subchapter 1, section 4, the building sewer shall be connected to a private sewerage disposal system complying with the provisions of Subchapter 2.
- Sec. 2 Before commencement of construction of a private sewerage disposal system, the owner shall first obtain a written permit from the county health officer. The application for such permit shall be made on a form furnished by the county health department which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the health officer. A permit and inspection fee as required by the county health department shall be paid at the time the application is filed.
- Sec. 3 A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the county health officer and Village. The county health officer shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the county health officer and the Village when the work is ready for final inspection, and before any underground portions are covered. The county health officer and/or Village inspector, shall make the inspection within forty-eight hours of the receipt of written notice excluding weekends and holidays.
- Sec. 4 The type, capacities, location, and layout of a private disposal system shall comply with all recommendations of the State of Illinois Private Disposal Licensing Act and Code and with the Environmental Protection Agency. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of subsurface soil absorption is less than 1,000 square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet or watercourse.
- Sec. 5 At such times as a public sanitary sewer becomes available to a property served by a private sewage disposal system, as provided in Subchapter 1, section 4, the building sewer shall be connected to said sewer within sixty (60) days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel, sand, or dirt.
- Sec. 6 The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, and at no expense to the Village.
- Sec. 7 No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the building or zoning authority having jurisdiction over said property.

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SUBCHAPTER 3 Building Sewers and Connections

1 No unauthorized person shall uncover, make connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Village.

Sec. 2 All disposals 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.

Sec. 3 There shall be two (2) classes of building sewer permits: (a) for residential wastewater service and (b) for commercial or institutional wastewater service. In either case, the owner or his agent shall make application on a special form furnished by the Village (see appendix 2).

The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Village. An inspection fee of twenty-five (25.00) dollars and a hook-up/connection fee of fifteen hundred (1,500.00) dollars for a residential or commercial building sewer permit shall be paid to the Village at the time the application is filed. The industry, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics, and type of activity.

Sec. 4 A building sewer permit will only be issued and a sewer connection shall only be allowed if it can be demonstrated that the downstream sewerage facilities, including sewers, pump stations, and wastewater facilities, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.

Sec. 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 Village from any loss or damage that may directly or indirectly be occasioned by said installation.

Sec. 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. In such case, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Sec. 7 Old building sewers may be used in connection with new buildings only when they are found on examination and tested by the inspector to meet all requirements of this ordinance.

8 The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing the pipe, joining, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules-and regulations of the Village, county, and state. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society of

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Testing Materials, Water Pollution Control Federation Manual of Practice No. 9, and Standard Specifications for Water and Sewer Main Construction in Illinois shall apply.

sec. 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 sewerage carried by such building drain shall be lifted by a means, which is approved in accordance with Subchapter 3, Section 2, and discharged to the building sewer.

Sec. 10 No person shall make connection of roof downspouts, footing 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.

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Sec. 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 public sanitary sewer.

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Stormwater and all other unpolluted drainage shall be discharged to storm sewers or to a natural outlet approved by the Superintendent of Public Works. Industrial cooling water or

- Sec. 11 The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code, or other applicable rules and regulations of the Village, or the procedures set forth in appropriate specifications of the American Society of Testing Materials, Water Pollution Control Federation Manual of Practice No. 9, and Standard Specifications for Water and Sewer Main Construction in Illinois. All connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Village before installation.
- Sec. 12 The applicant for the building sewer permit shall notify the Village when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Village inspector or his representative.
- Sec. 13 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 Village.

SUBCHAPTER 4 Use of the Public Sewers

unpolluted process waters may be discharged upon approval of the Superintendent of Public Works, to a storm sewer or natural outlet.

- 3 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 humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.

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

(d) Solid or viscous substance in quantities or of such size capable of causing obstruction to the

flow in sewers, or other interference with the proper operation of the sewerage system such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, woods, whole blood, paunch, manure, hair and fleshing, entrails and paper dishes, cups, and milk containers either whole or ground by garbage grinders.

Sec. 4 No person shall discharge or cause to be discharged to a public sanitary sewer the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Superintendent of Public Works that such waters or wastes can harm either the sewers, sewage treatment process, or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Superintendent of Public Works will give consideration to such factors as the quantities of such waters of waste in relation to flows and velocities in the sewers, materials or construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, and maximum limits established by regulatory agencies. The substances prohibited are:

(a) Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150 F), (65 C).

(b) 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) and one hundred fifty degrees Fahrenheit (150 F) (0 C and 65 C).

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

- (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, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the supervisor of the wastewater treatment system.
- (t) Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the Village as necessary after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- (g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Village in compliance with applicable state or federal regulations.
- (h) Any 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 as permitted by the Village in compliance with applicable State and Federal regulations.
- (j) Any cyanide in excess of 0.025 mg/l at any time except as permitted by the Village in compliance with applicable state and federal regulations.
- (k) Materials which exert or cause:
 - a. 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).
 - b. Excessive discoloration (such as but not limited to, dye wastes and vegetable tanning solutions).
 - c. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - d. Unusual volume flow or concentrations of waters constituting "slugs" as defined herein.
- (l) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters.

Sec. 5 If any water or wastes are discharged, or are proposed to be discharged to the public sanitary sewers, which waters contain the substances or possess the characteristics enumerated in Subsection 3 of this Subchapter, and/or which are in violation of the standards for pretreatment

provided in 40 CFR 403, June 26, 1978 and any amendments thereto and which in the judgment of the Village may have deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Village may:

- a. Reject the wastes;
- b. Require pretreatment to an acceptable condition for discharge to the public sewers;
- c. Require control over the quantities and rates of discharge; and/or
- d. Require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges, under the provisions of section 10 of this Subchapter.

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

- Sec. 6 Grease, oil, and sand interceptors shall be provided when, in the opinion of the Village they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or flammable wastes, sands, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Village, and shall be located as to be readily and easily accessible for cleaning and inspection.
- Sec. 7 Where preliminary treatment or flow-equalizing facilities are provided, the owner at his expense shall maintain them continuously in satisfactory and effective operation.
- Sec. 8 Each industry shall be required to install a control manhole and when required by the Village and/or County, the owner 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 and approved by the Village. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.
- Sec. 9 The owner of any property serviced by a building sewer canying industrial wastes shall provide laboratory measurements, tests, and analysis of waters and waste to demonstrate compliance with this chapter and any special conditions for discharge established by the Village 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 Village, but no less than once per year. The industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with the federal, state, and local standards are being met. The owner shall report the results of measurements and laboratory analysis to the Village at such times and in such manner as prescribed by the Village. The owner shall bear the expense of all measurements, analyses, and reporting

required by the Village. At such times as deemed necessary, the Village reserves the right to take measurements and samples for analysis.

Sec. 10 All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association and "USEPA Guidelines Establishing Test Procedures for Analysis of Pollutants" pursuant to 40 CFR Part 136 and shall be determined at the control manhole, using suitable samples taken at such 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 the customary accepted methods to reflect the effect of constituents upon the sewerage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four-hour composite sample or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four-hour composite samples, whereas pH is determined from period grab samples.)

Sec. 10 No statement contained in this section shall be construed as preventing any special agreement or arrangement between the Village and any industrial concern whereby an industrial waste of unusual strength or character may be permitted by the Village for treatment subject to payment therefore by the industrial concern, provided such payments are in accordance with the applicable ordinance governing sewer user service charges, and provided further, that such situation may be governed by any other agreement between the Village.

SUBCHAPTER 5 Meters

Sec. 1 Sewer use meters may be required on all service pipes from all buildings and on any new services to existing buildings in the village under the direction of the Superintendent of Public Works when a reasonable estimate of sewer usage cannot be gauged. Each metered service shall include an appropriate and approved shutoff valve or control valves, curb stop or other service control device. The location of such control devices shall be approved by the Village or at a location determined by the Village. Operation of such service control devices shall be under the exclusive control of the Village.

Sec. 2 All required meters shall be owned by the Village.

Sec. 3 Meters shall be installed at the building owner's cost by an Illinois-licensed plumber in a location that will be readily accessible and in accordance with all of the following:

1. Applicable plumbing codes and regulations;
2. Manufacturer's instructions to the extent not inconsistent with applicable codes and regulations; and

3. Reasonable requirements of the village water Superintendent of Public Works.

SUBCHAPTER 6 Protection of Sewer Works

- Sec. 1 No person shall willfully or carelessly break, injure, mar, deface, interfere with or disturb any building, machinery, apparatus, fence, fixtures, attachment or appurtenances of the Village wastewater system or any public or private meter or containment box, control valve, or shutoff box, service line/pipe, or any other part thereof; nor shall any person deposit anything in any meter box, curb stop, or shutoff box or commit any act tending to obstruct or impair the intended use of any of the above mentioned things, without the permission of the Superintendent of Public Works, or except in the cases hereinafter provided. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct and damage to public property.

SUBCHAPTER 7

Powers and Authority of Inspectors

- Sec. 1 The Village and other duly authorized employees or agents of the Village, the Illinois Environmental Agency, and the U.S. Environmental Protection Agency, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of reading meters, repair, inspection, observation, measurement, sampling, and testing in accordance with the provisions of this chapter. Where such inspections are not of any immediate or urgent nature, employees of the village shall arrange for an appointment mutually convenient to the occupants of the premises served and said employees. The Village or its representative shall have no authority to inquire into any processes, including metallurgical, chemical, oil refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterway of facilities for waste treatment.
- Sec. 2 While performing the necessary work on private properties referred to in subsection 1 of this section, the Village, the Illinois Environmental Protection Agency, and the U.S. Environmental Protection Agency shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the Village employees and the Village shall indemnify the company against loss or damage to its property by Village employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Subchapter 4, Section 9.

- Sec. 3 The Village and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all private properties through which the Village holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the easement pertaining to the private property involved.
- Sec. 4 Right of Repair & Reimbursement: Where the condition of any premises or wastewater facilities represents a threat to the public health, safety or welfare including, but not limited to, the breakage or other failure of a sewer line (when such sewer line is connected to the wastewater system of the village) and such breakage or failure is not repaired or remedied within forty-eight hours, then the village may enter upon the premises and make any and all necessary repairs or replacements and the cost of such repairs and replacements shall be reimbursed to the village upon demand. If the nature and extent of such condition makes it impracticable or unsafe to allow the condition to remain, then the village may immediately enter upon the premises to make the necessary repairs or replacements. The authority granted by this section shall not be construed as creating any obligation upon the village to enter upon the premises and/or make any repair or replacement and shall not create any liability against the village for failure to repair or for the quality and/or workmanship of the work stated and/or completed by the village.

SUBCHAPTER 8

Penalties

- Sec. 1 Any person found to be violating any provision of this chapter except Subchapter 5, shall be served by the Village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. The Village may revoke any permit for sewage disposal as a result of any violation of any provision of this ordinance.
- Sec. 2 Any person who shall continue any violation beyond the time limit provided for in section 1 of subchapter 7, shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than fifty (50) dollars, nor more than five hundred (500) dollars. Each day for which a continuing violation occurs shall be deemed a separate offence for purposes of this provision.
- Sec. 3 Any person violating any of the provisions of this chapter shall become liable to the Village for any expense, loss, or damage occasioned the Village by reason of such violation.

SUBCHAPTER 9 Validity

- Sec. 1 All ordinances or parts of ordinances in conflict herewith are hereby repealed.
- Sec. 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.

SUBCHAPTER 10

Charges

- Sec. 1 Basis for Wastewater Service Charges: The wastewater service charge for the use of and for service supplied by the wastewater facilities of the Village shall consist of a basic user charge, a debt service charge, a capital improvement charge, and applicable surcharges.
- Sec. 2 The adequacy of the wastewater service charge shall be reviewed, not less often than annually, by Certified Public Accountants for the Village in their annual audit report. The wastewater service charge shall be revised periodically to reflect a change in local capital costs or O, M, &
- Sec. 3 The users of the wastewater treatment services will be notified annually, in conjunction with a regular bill, of the rate and that portion of the user charges, which are attributable to the wastewater O, M, & R.
- Sec. 4 The Basic User Charge is levied on all users to recover the operation & maintenance (O, M, & R) costs and shall be based on estimated average sewage discharge for each class of users or usage as recorded by water meters or sewage meters for those having such meters with the following normal domestic concentrations:
- (a) A five-day, 20-degree Celsius biochemical oxygen demand (BOD) of 210 milligrams per liter.
 - (b) A suspended solids content of 250 milligrams per liter.

The basic user charge shall be computed as follows:

- (c) Estimate annual wastewater volume, pounds of BOD, and pounds of SS to be treated.
- (d) Estimate the projected annual revenue required to operate and maintain the wastewater facilities, including a replacement fund for the year, for all work categories.
- (e) Proportion the estimate O & M costs to each user by volume, BOD, and SS.
- (f) Proportion the estimated operation and maintenance (O & M) costs to wastewater facility categories by volume, BOD, and SS.
- (g) Compute costs per 1,000 gallons for normal domestic sewage strength.
- (h) Compute charges for each class of user based on estimated sewage volume.

(i) Compute surcharge costs per pound for BOD and SS concentrations in excess of normal domestic sewage strengths.

Sec. 5 The Debt Service Charge is computed by apportioning the annual debt service as a fixed charge per billing period.

Sec. 6 The Capital Improvement Charge is levied on users to provide for capital improvements, extensions, or reconstruction of the sewage treatment works. The capital improvement charge is computed by apportioning the annual amount to be accrued as a fixed charge per billing period.

Sec. 7 Measurement of flow: The volume of flow used for computing basic user charges and surcharges shall be estimated sewage volume discharged for each class of user.

(a) Devices for measuring the volume of waste discharged may be required by the Village if these volumes cannot be reasonable estimated.

(b) Metering devices for determining the volume of waste (where required), shall be installed, owned, and maintained by the user. Following approval and installation, such meters may not be removed, unless service is canceled, without the consent of the Village.

Sec. 8 Basic User Charge: There shall be and there is hereby established a basic user charge of 31.416 per 1,000 gallons of estimated sewer volume to be applied to all users to recover O, M, & R costs.

Sec. 9 Debt Service Charge: There shall be and there is hereby established a debt service charge of \$1.110 per 1,000 gallons of estimated sewage volume, to each user of the wastewater facility.

Sec. 10 A Surcharge will be levied to all users whose waters exceed the normal domestic concentrations of BOD mg/l and SS mg/l. The surcharge will be based on water usage as recorded by water meters or sewage meters, for all wastes, which exceed these concentrations for those users having such meters (See Sec. 4(a) and 4(b)).

The concentration of wastes used for computing surcharges shall be established by waste sampling. Waste sampling shall be performed as often as may be deemed necessary by the Village and shall be binding as a basis for surcharges.

Sec. 11 The Rates of Surcharges for BOD and SS shall be as follows:

Per lb. Of BOD: \$ 0.21011b

Per lb. Of SS: \$ 0.18011b

Sec. 12 Calculation of Surcharges

BOD

$CBIDD B(Y - Bc) \times 8.34 \times Q$

Where: CgoD = Surcharge for BOD
 B = Surcharge Rate (Sec. 4 & 11)

Y = Monthly Ave. Effluent BOD Concentration, mg/l
 B_c = Ave. Domestic BOD Concentration, mg/l
 Q = Total Monthly Usage, million gallons

SS

$$C_{ss} = S (Z - S_c) \times 8.34 \times Q$$

Where: C_{ss} = Surcharge for TSS
 S = Surcharge Rate (Sec. 4 & 11)
 Z = Monthly Ave. Effluent TSS Concentration, mg/l
 S_c = Ave. Domestic S_s Concentration, mg/l
 Q = Total Monthly Usage, million gallons

Sec. 13 for Computation of Wastewater Service Charge: The wastewater service charge

metered users shall be computed by the following formula:

$$CW = V_u (CM + CD) + CS$$

Where: CW = Amount of wastewater service charge (\$) per billing period.
 V_u = Wastewater Volume, as metered.
 CM = Basic Use Charge for O, M, & R (Sec. 8).
 CD = Debt Service charge (Sec. 9).
 CS = Surcharges, if applicable (Sec. 12).

Sec. 14 All non-metered users of the wastewater facilities shall pay a flat monthly rate according to the following schedule for each class of user:

<u>Rate/Class</u>	<u>Monthly Charge</u>
Residential	\$20 per month May 2023 \$30.00 per month Jan 2024 \$40.00 per month
Commercial 1 – Light Business	\$20 per month May 2023 \$30.00 per month Jan 2024 \$40.00 per month
Commercial 2 – Light Commercial	\$53.50 per month May 2023 \$120 per month Jan 2024 \$150 per month

Commercial 3	\$53.50 per month May 2023 \$160 per month Jan 2024 \$200 per month
Institutional/School	\$637.15 per month May 2023 \$1300 per month Jan 2024 \$2000 per month

Please note: Rate also listed on Ordinance Title 7, Chap 2, Subchapter 17, Section 14 and Ordinance Title 7, Chap 3, Section 2

Updated: 3/27/2023

SUBCHAPTER 11 General Provisions

- Sec. 1 The wastewater system shall be owned and operated by the village as a Village wastewater utility and all improvements and extensions to the wastewater systems, either or both, shall be considered as improvements and extensions to the wastewater utility; and all the properties, assets, obligations and liabilities, of all kinds, of said wastewater system existing, outstanding and accruing or to accrue, shall be held, used, confessed and acknowledged as the properties, assets, obligations and liabilities of said water utility and shall be the responsibility of the village public works department.
- Sec. 2 Bills: The Village Utility Clerk, annually in booklet form, shall send out a sewer service payment book. It shall be the responsibility of the customer to advise the Village of the billing address. The customer shall not be relieved of liability because a bill was not received.

Sewer use charges for service shall be payable once per month for twelve (12) periods or by the use of a single annual payment. The owner of the premises shall be severally liable to pay for the service to such premises and the service is furnished to the premises by the Village only upon the condition that the owner of the premises is severely liable to the Village.

- Sec. 3 Delinquent Bills: All water bills are due and payable on the tenth (10th) day of each month. A penalty of five (5.00) dollars shall be added to all bills not paid by the tenth (10th) day of the month and a first notice shall be sent to the customer by U.S. Mail. If payment is not received by the tenth (10th) day of the next month a second penalty of five (5.00) dollars shall be added to the bill and final notice shall be sent by certified U.S. Mail, Return Receipt Requested.

If the charges for such services, including penalties, are not paid in full on or before the last day of the month after said customer receives the certified letter, water service shall be shut off. Such services shall be discontinued with out further notice and shall not be reinstated until all claims are settled and a reinstatement fee of Fifty (50.00) dollars is paid in full.

- Sec. 4 Lien-Notice of Delinquency: It shall be the policy of the Village to exercise its lien rights under 65 ILCS 5/11-139-8 and to sue the customer to collect the amounts due plus a reasonable attorney's fee, to be fixed by the court.

- Sec. 5 Revenues: All revenues and moneys derived from the operation of the sewerage system shall be deposited in the sewerage account of the sewerage fund. All such revenues and moneys shall be held by the Village treasurer separate and apart from any private funds and separate and apart from all other funds of the Village and all said sum, without any deductions whatever, shall be delivered to the treasurer not more than ten (10) days after receipt of the same, or at such more frequent intervals as may from time to time be directed by the Village board.

The Village treasurer shall receive all such revenues from the sewerage system and all other funds and moneys incident to the operation of such system as the same may be delivered to him/her and deposit the same in the account of the fund designated as the "Sewerage Fund" of the Village.

Said treasurer shall administer such fund in every respect in the manner provided by the statute of the "Revised Cities and Villages Act," effective January 1942.

Sec. 6 Accounts: The Village Treasurer shall establish a proper system of accounts and shall keep proper books, records, and accounts in which complete and correct entries shall be made of all transactions relative to the sewerage system, and at regular annual intervals he/she shall cause to be made and audit by an independent auditing concern of the books to show the receipts and disbursements of the sewerage system.

In addition to the customary operating statements, the annual audit report shall also reflect the revenues and operating expenses of the wastewater facilities, including a replacement cost, to indicate that sewer service charges under the waste cost recovery system do in fact meet these regulations. In this regard, the financial information to be shown in the audit report shall include the following:

1. Flow data showing total gallons received at the wastewater plant for the current fiscal year.
2. Billing data to show total number of gallons billed per fiscal year.
3. Debt service for the next succeeding fiscal year.
4. Number of users connected to the system.
5. Number of non-metered users.
6. A list of users discharging non-domestic and industrial wastes and volume of waste discharged.

Sec. 7 Penalty: Any person or entity who is found guilty of violating any provisions of this Subchapter shall be fined not less than fifty (50) dollars, nor more than five hundred (500) dollars. Each day for which a continuing violation occurs shall be deemed a separate offence for purposes of this provision.

Sec. 8 Access to records: The USEPA and the IEPA or their authorized representative shall have access to any books, documents, papers, and records of the Village which are applicable to the Village 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 Loan Agreement and Rule of any State Loan.

SUBCHAPTER 12

Effective Date of Rates

Sec. I The rates and service charges established for user charges in Subchapter I shall be effective as of the next succeeding billing period after approval of ordinance.

SUBCHAPTER 13 Validity

- Sec. 1 That if any section, paragraph, clause, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.
- Sec. 2 Contract: The ordinances, rules and regulations and water rates adopted by the village shall be considered a part of the contract with every person supplied with water by the water system of the village, and the consumer and property owner, by taking water, contracts with the village to abide by these rules and regulations in this title.

SUBCHAPTER 14

Appeals

- Sec. 1 The method for computation of rates and service charges established for user charges in Subchapter 9 shall be made available to a user within five (5) normal business days of receipt of a written request for such. Any disagreement over the method used or in the computations there of shall be remedied by arbitration within ninety (90) days after notification of a formal written appeal outlining the discrepancies.

APPENDIX NO. 1

DEFINITIONS

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

Sec. 1 Federal Government

"Federal Act" means the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) as amended by the Federal Water Pollution Control Act Amendments of 1972. (Public Law 92-500 and Public Law 93-243) and the Clean Water Act of 1977 (Public Law 95-217.)

"Administrator" means the administrator of the U.S. Environmental Protection Agency.

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

Sec. 2 State Government

"State Act" means the Illinois Environmental Protection Act effective July 1, 1970. (Ill. Rev. Stat. , Ch. 111 1/2, Section 1001-1051.)

"Director" means the director of the Illinois Environmental Protection Agency.

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

sec. 3 Local Government "Ordinance" mean this ordinance.

"Village" means the Village of Dakota.

"Superintendent of Public Works" means the person or persons appointed by the Village Board to oversee, control, maintain, adjust, repair, test, and inspect the Village water and/or sewage systems and all related or connected private systems.

"Approving Authority" means the Village Board of the Village of Dakota.

Sec. 4

"Person" means any and all persons, natural or artificial including any individual, firm, company, public or private corporation, association, society, institution, enterprise, governmental agency or other entity.

sec. 5

"NPDES permit" means any permit or equivalent document to regulate the discharge of pollutants pursuant to Section 402 of the Federal Act. sec. 6

Clarification of word usage: "shall" is mandatory; "may" is permissible.

sec. 7 Wastewater and its characteristics:

"Wastewater" means wastewater from any domestic, commercial, industrial and institutional uses.

"Sewage" means a combination of the wastewater from residential, commercial, industrial and institutional buildings together with such groundwater infiltration and surface water inflow that may be in the sewers.

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

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

"Unpolluted Water" means water that would not cause any violation of water quality standards of the water pollution regulations of Illinois when discharged to a natural outlet or watercourse.

"ppm" shall mean parts per million by weight.

"mg/l" means milligrams per liter. A unit of the concentration of water or wastewater constituent.

"Suspended solids" means solids that either float on the surface of, or are in suspension in water, sewage, industrial wastes or other wastewater's; the quality of which is determined by standard laboratory filtering test procedures and referred to as non-filterable residue and expressed in mg/l.

"BOD" means biochemical oxygen demand which is defined as the quantity of oxygen used in the biochemical oxidation of organic matter in five days at twenty degrees C, determined by standard laboratory test procedures and expressed in mg/l.

"pH" means the logarithm (base ten) of the reciprocal of the hydrogen-ion concentration expressed in gram molecular weight (moles) per liter.

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

"Properly shredded garbage" means garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

"Floatable Oil" is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system. "Population equivalent" means a term used to evaluate the impact of industrial or other wastes on a treatment works or stream: one population equivalent is one hundred gallons of sewage per day, containing 0.17 pounds of BOD and 0.20 pounds of suspended solids.

"Slug" means any discharge of sewage, industrial waste or other wastewater which in concentration of any given constituent or in quantity of flow exceeds, for any given period of duration longer than fifteen minutes, more than five times the average twenty-four-hour concentration or quantity during normal operating conditions.

"Industrial waste" means the wastewater 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 or processing of any natural resource as distinct from employee's waste or wastewater from sanitary conveniences.

"Major contributing industry?" means an industrial user that has a flow of fifty thousand gallons or more per average works day, or has a flow greater than ten percent of the flow carried by the sewerage

works receiving the waste, or has in its waste, a toxic pollutant in toxic amounts as defined in standards issued under Section 307 (a) of the Federal Act, or is found by the permit issuance authority, in connection with the issuance of the NPDES permit to the publicly owned treatment works receiving the waste, to have significant impact, either singly or in combination with other contributing industries, on that treatment works or upon the quality of effluent from that treatment works.

Sec. 8 Sewer types and appurtenances:

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

"Public sewer" means a sewer in which all owners of abutting properties have equal rights of connection and use, and is operated, maintained and controlled by the Village or other public agencies.

"Sanitary sewer" means a sewer that conveys sewerage and polluted industrial wastes, and to which stormwater, surface drainage, groundwater, unpolluted wastewater are not intentionally admitted.

"Storm sewer" or "storm drain" means a sewer that conveys stormwater runoff and surface water drainage, but excludes sewage and polluted industrial wastes. "Combined Sewer"

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

"Building drain" means the part of the lowest piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of a building and conveys it to the building sewer or other approved point of discharge, beginning five feet (1.4 meters) outside the inner face of the building wall.

"Stormwater runoff" means that portion of precipitation which is not absorbed into the ground and which is drained from the ground surface to a natural outlet or watercourse.

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

"Easement" means an acquired legal right for the specific use of land owned by others.

sec. 9 Treatment

"Pretreatment" shall mean the treatment of wastewaters from source works before introduction into the wastewater treatment works.

"Wastewater Treatment Plant" means an arrangement of devices, structures and processes for the treating and disposing of sewage by the North Shore Sanitary District.

sec. 10

"Wastewater Facilities" shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and transport effluent to a water course.

Sec. 11 Watercourse and Connections

"Watercourse" means any stream, creek, brook, branch, natural or artificial depression, slough, gulch, ditch, reservoir, lake, pond or other natural or manmade drainageway in or into which stormwater runoff and surface water drainage flow either continuously or intermittently.

"Natural outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface water.

sec. 12 User Types:

"User Class" shall mean the type of user as herein defined.

"Residential User" shall mean all dwelling units such as houses, mobile homes, apartments, or multifamily dwellings.

"Commercial User" shall include transit lodging, retail, and wholesale establishments or places engaged in selling merchandise, or rendering services.

"Institutional /Governmental User" shall include schools, churches, penal institutions, and users associated with Federal, State, and Local Governments.

"Industrial Users" includes establishments engaged in manufacturing activities involving the mechanical or chemical transformation of materials or substances into products.

"Control manhole" means a structure specifically designed and constructed for sampling and metering industrial wastes discharged to a public sewer.

"Wastewater Service Charge" Shall be the charge per quarter or month levied on all users of the wastewater system and consists of the Basic user charge, local capital cost, and surcharge.

"User Charge" shall mean a charge levied on all users of the wastewater system for the cost of operation, maintenance, and replacement.

"Basic User Charge" shall be the basic assessment levied on all users of the wastewater system.

"Debt Service Charge" shall be the amount to be paid each billing period for the payment of interest, principle, and coverage of any loans, bonds, or other debt outstanding on the wastewater collection or treatment system.

"Capital Improvement Charge" shall mean a charge levied on users to improve, extend, or reconstruct the sewage treatment works.

"Local Capital Cost Charge" shall mean charges for costs other than the operation, maintenance, and replacement costs, i.e. debt service and capital improvement costs.

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

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

"Useful Life" shall mean the estimated period during which the collection system and/or treatment works will be operated.

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

APPENDIX NO. 2
SEWER PERMIT APPLICATIONS

Residential or Commercial Building Sewer.
Private Sewage Disposal.
Industrial Sewer

RESIDENTIAL BUILDING SEWER APPLICATION

To the Village of Dakota:

A. THE UNDERSIGNED, being the owner of the property located at

(Owner, Owner's Agent)

DOES HEREBY REQUEST a permit to

(Address) (Install, Use) connect a building to serve the residence at said location.

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

Number	Fixture	Number	Fixture
_____	Kitchen Sink	_____	Kitchen Disposal/Grinder
			Dish Washer
			Bathroom Sink
_____	Toilet		Urinal _____
_____	Bathroom Shower		Bathroom _____
			Tub
_____	Laundry Tub		Clothes Washer _____
_____		_____	
	Other		

(Specify)

2. The maximum number of persons who will use the above fixtures are:

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 hereunto as "Exhibit A".

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

1. To accept and abide by all provisions of the Village Code of the Village of Dakota and of all of the pertinent ordinances or regulations that may be adopted in the future.
2. To maintain the building sewer at no expense to the Village.
3. To notify the Village when the building sewer is ready for inspection and connection to the public sewer system, but before any portion of the work is covered.

DATE: SIGNED:

(Applicant Signature)

(Address of Applicant)

Connection fee paid

(Check)

Inspection fee paid

(Check) _____

Reconnection fee paid

(Check) _____

Application is approved and permit issued:

SIGNED: TITLE: (Approving Authority)

DATE:

COMMERCIAL & INSTITUTIONAL BUILDING SEWER APPLICATION

-To the Village of Dakota:

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

_____ DOES HEREBY REQUEST a permit to _____

(Address) (Install, Use) a commercial or industrial sewer connection to serve _____, which (Name of Company) company is engaged in _____ at said location.
(Type of Business)

1. A plat of the property showing accurately all sewer mains now existing is attached hereunto as "Exhibit A".
2. Plans and specifications for the proposed building sewer are attached hereunto as "Exhibit B".
3. The name and address of the person or firm who will perform the proposed work is:

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

1. To accept and abide by all provisions of the Village Code of the Village of Dakota and of all of the pertinent ordinances or regulations that may be adopted in the future.
2. To maintain the building water at no expense to the Village.
3. To notify the Village when the building sewer is ready for inspection and connection to the public sewer system, but before any portion of the work is covered.

DATE: SIGNED:

_____ (Applicant Signature)

_____ (Address of Applicant)

Connection fee paid

_____ (Check)

Inspection fee paid _____
(Check)

Reconnection fee paid _____
(Check)

Application is approved and permit issued:

_____ SIGNED: TITLE:
_____ (Approving Authority)

DATE:
