

CHAPTER 38

UTILITIES

ARTICLE I – RESERVED

[Usually the duties and responsibilities of the Superintendent are included here. Please refer to Section 1-2-109 and the applicable Exhibits that are found in Chapter 1.]

ARTICLE II - RATES AND REGULATIONS

DIVISION I - GENERAL PROVISIONS

38-2-1 CONTRACT FOR UTILITY SERVICES.

(A) **Customer Accepts Service.** The rates, rules and regulations contained in this Chapter shall constitute and be considered a part of the contract with every person, company or corporation who is supplied with utility services from the Water and Sewer Systems and every person, company or corporation hereinafter called a "customer" who accepts and uses utility services shall be held to have consented to be bound thereby.

(B) **Not Liable for Interrupted Service.** The City shall endeavor at all times to provide a regular and uninterrupted supply of service, however, in case the supply of service shall be interrupted or irregular or defective or fail from causes beyond its control or through ordinary negligence of employees, servants or agents, the Department shall not be liable therefor.

(C) **Using Services Without Paying.** Any person using utility services from the City without paying therefor or who shall be found guilty of breaking the seal of any meter or appurtenances or bypassing any meter shall be guilty of violating this Code and upon conviction, shall be fined a sum as provided in **Chapter I entitled "Administration"** of this Code.

(D) **Destroying Property.** Any person found guilty of defacing, tampering, injuring or destroying, or in any manner, limiting the use or availability of any meter or any property of the utility systems, or erecting signs on the property of the utility systems without permission shall, upon conviction of such act, be fined as provided in **Chapter 1 entitled "Administration"** of this Code.

(E) **Service Obtained By Fraud.** All contracts for utility services must be made in the name of the head of the household, firm or corporation using the established spelling of that person's or firm's name. Attempts to obtain or continue service by the use of other names, different spellings or by substituting names of other persons or firms shall be considered a subterfuge and service shall be denied. If service has been discontinued because of nonpayment of bills or any unpaid obligation and service has again been obtained through subterfuge, misrepresentation or fraud, that service shall be promptly disconnected and the whole or such part of the advanced payment as may be necessary to satisfy the unpaid obligation shall be retained by the City and credited to the appropriate account. **(Ord. #1614; 08-04-15)**

(F) **Failure to Receive Bill.** Failure to receive a bill shall not excuse a customer from his obligation to pay within the time specified. Should the Department be unable to bill a customer for services used during any month, the next billing shall include the charges for serves used during the unbilled month. A month shall be considered as that period of approximately **thirty (30) days.**

(G) **Request to Discontinue Service.** Services shall have been deemed to have been supplied to any property connected to the utility systems during a

month unless the customer notifies the City prior to the first day of the new billing month in which the utility services are to be discontinued.

(H) **Billing; Utility Shut-Off; Hearing.**

(1) All bills for utility services shall be due and payable upon presentation. A bill shall be considered delinquent if not paid in full within twenty (20) days of presentation. Additionally, a penalty equal to the lesser of: (1) ten percent (10%) of the amount due on said bill; or (2) fifty dollars (\$50.00) shall be added to all bills not paid within twenty (20) days of presentation. This penalty shall be in addition to the charges heretofore established for the utility services.

(2) Utility service to any utility customer may be terminated for violation of any of the rules or regulations of service or for failure to pay a bill or penalty assessed for said utility service within twenty (20) days after the date when the same is due. In such case, not less than seven (7) days written notice of the proposed termination and the reason therefore shall be given the customer and the owner of the property if different than the customer. The notice shall advise that the customer and/or owner may request and have a hearing concerning the matter prior to termination before the Mayor (or the Mayor's designee) and the Collector. Such notice to the customer and/or owner shall be given by first class mail or by personal delivery. If such a hearing is requested, such request shall stay the service termination until the hearing is held, which shall be as soon after the request is made as may be reasonably done. At such hearing the customer and/or owner may appear in person or by agent and be heard upon the matter. The customer and/or owner having requested said hearing shall thereafter be notified of the decision rendered by the hearing officer. Should the customer and/or owner requesting the hearing fail to appear at the hearing, then the City shall have the right to terminate the utility services without further proceedings.

(3) If a utility service is disconnected from any customer for non-payment of a bill, service shall not be reconnected to that customer or property until all charges and penalties have been paid in full, plus a service charge of Twenty Dollars (\$20.00) per utility reconnected during normal working hours or Fifty Dollars (\$50.00) per utility reconnected after normal working hours. **(Ord. #1614; 08-04-15)**

(I) **Lien Notice.** Whenever a bill for utility services is delinquent, notice of the delinquency shall be sent to the customer and/or the owner of the property. The notice shall indicate the total amount due and advise the customer and/or owner of the property that failure to pay the amount due in full within ten (10) days of the delinquency date may create a lien on the property. Whenever a bill for utility services remains due and owing for thirty (30) days or more, the City may file a statement of lien claim with the County Recorder of Deeds. This statement shall at a minimum contain the legal description of the premises served, the amount of the unpaid bill, the date when the amount became delinquent, and a notice that the municipality claims a lien for this amount as well as for all charges for utility services served subsequent to the period covered by the bill and remaining unpaid. The delinquency notice(s) shall be attached to the lien when filed. A copy of the recorded

lien, with attached delinquency notice(s), shall be sent to the property owner. **(Ord. #1614; 08-04-15)**

(J) **Foreclosure of Lien.** The City Attorney is hereby authorized to institute proceedings in the name of the City, in any Court having jurisdiction over such matters, against any property upon which a lien has been filed not less than thirty (30) days after the filing of said lien. **(Ord. #1614; 08-04-15)**

38-2-2 CONSUMER LISTS. It is hereby made the duty of the Superintendent to prepare or cause to be prepared an accurate list of all premises and properties receiving utility services, showing the name and address of the occupant and/or owner of the same. The list shall be kept up-to-date, and shall be corrected from time to time to allow changes in the occupancy or ownership of any such property or premises. It shall be presented at the first regular monthly meeting.

38-2-3 LIABILITY FOR CHARGES. The **owner** of any lot, parcel of land or premises receiving utility services, the **occupant** of such premises and the **user** of the services shall be jointly and severally liable for the payment of the services to such lot, parcel of land or premises and all services are rendered to the premises by the City only on the condition that such owner, occupant **and** user shall be jointly and severally liable to the City therefor.

38-2-4 ESTIMATED CHARGE. Whenever any meter, by reason of its being out of repair or from any cause, fails to properly register the utilities passing through the same, the consumer shall be charged the average usage charge of the **previous three (3) months**. If no record of the previous **three (3) months** exists, then it shall be the duty of the Collector to estimate the amount of utilities consumed during the time the meter fails to operate, and the consumer shall be charged with such estimated amount. Bills may be estimated whenever it is impossible to read the meters during inclement weather.

38-2-5 NO FREE SERVICE. No free service shall be furnished to any person and all rates and charges shall be non-discriminatory, provided that the Mayor and City Council reserve the right to impose special rates and charges in cases where particular circumstances render the regular rates inadequate or unjust.

38-2-6 RESALE PROHIBITED. No water shall be resold or distributed by the recipient or consumer thereof from the City supply to any premises other than that for which application has been made and the meter installed, except in cases of emergency.

38-2-7 DISCONTINUANCE OF WATER SERVICE--CUSTOMER. The customer shall notify the City of any change in occupancy. No adjustment of bills will be made by the City as between the owners or tenants unless **ten (10) days notice**

prior to the change of occupancy has been given to the City. No rebate will be given for unoccupied premises unless notice of non-occupancy is given.

Any customer may discontinue water service by giving the City notice not less than **ten (10) days** prior to the discontinuance, and all liability for charges for service rendered after the discontinuance of service as herein provided for shall cease.

38-2-8 UTILITY DEPOSITS.

(A) **Residential.** When any application is made for utility services in accordance within the provisions of this Chapter, the applicant for whom such service is requested shall pay a deposit with the application in the amount of **Seventy Five Dollars (\$75.00)** for water and/or sewer service.

Where the amount of the deposit provided for above is not sufficient to adequately protect the City, a greater amount than stated above may be required, based upon the consumer's estimated bill for a customary billing period. **(Ord. No. 1559; 10-01-13)**

(B) **Commercial.** When any application is made for utility services by a commercial or industrial user in accordance with the provisions of this Chapter, the applicant shall pay a deposit with the application in the amount of **Seventy Five Dollars (\$75.00)** for water and sewer service.

Where the amount of the deposit provided for above is not sufficient to adequately protect the City, a greater amount than stated above may be required, based upon the consumer's estimated bill for a customary billing period. **(Ord. No. 1559; 10-01-13)**

(C) **Security for Payment - No Interest.** The deposits made under the provisions of this Chapter shall be held by the City as security for the payment of utilities used by the applicant upon the premises to which his application pertains in accordance with this Chapter. The depositor shall be refunded the fee with no interest earned after three (3) years of continuous service, providing all bills and any late payment penalty charges which may have been assessed are paid in full. **(Ord. No. 1559; 10-01-13)**

38-2-9 RULES TO BECOME PART OF CONTRACT. All of the rules and regulations concerning the use of the facilities of the water and sewer utilities shall be adopted and the same shall become a part of the contract with every consumer and every consumer shall be considered to consume utilities from the City, subject thereto and bound thereby.

38-2-10 CHARGE FOR SERVICE CALLS. If, at the request of the owner of any lot, parcel of land or premises receiving utility services, the occupant of such premises or the user of the services, a City employee is called out on a service call to investigate a sewer or water backup or other problem and the City has no liability, the following charges shall apply:

(A) **During Normal Working Hours,** there shall be no charge for the service call. Normal working hours are **7:00 a.m. – 3:30 p.m.** from Labor Day to

Memorial Day or **6:00 a.m. – 2:30 p.m.** from Memorial Day to Labor Day, Monday through Friday.

(B) **After Normal Working Hours**, there shall be an administrative fee of **Twenty Dollars (\$20.00)** for such service call plus **Sixty Dollars (\$60.00)** per hour with a **two (2) hour** minimum for each employee called out for the service call.

(Ord. No. 1404; 12-05-06)

38-2-10.5 ANNEXATION TO THE CITY. No person shall receive water or sewer service from the City without annexation into the corporate limits of the City, unless the City has an agreement with the owner of the property for such annexation.

No application for water or sewer service by a new occupant or user shall be accepted or approved by the City for any property which is not within the corporate limits of any municipality but which is contiguous to the City unless the applicant, at the time of submission of the application for new water or sewer service, files a petition requesting annexation of the property for which water or sewer service is sought. The petition shall be signed by 100% of the owners of the property and by at least 51% of the electors residing therein, if any. **(Ord. No. 1585; 06-10-14)**

DIVISION II - UTILITY RATES

38-2-11 BUILDING UNIT DEFINED. All persons or families residing in a building under one roof, be it homes or an apartment converted into more than one dwelling place, each family or individual resident residing therein shall be deemed an individual customer and such homes or apartments or dwellings shall be billed for at least **one (1)** minimum water and sewer account according to the number of families or individual residents residing therein. A building unit is also defined as a dwelling unit or dwelling place. A separate service line is required for each building or dwelling unit within a multi-unit building, whether residential, commercial, or industrial. **(Ord. No. 1164; 09-18-01)**

[NOTE: When **two (2)** or more families live in **one (1) dwelling, one (1)** minimum per family may be charged. If more than the minimum is used, the owner or occupant of such dwelling shall pay the additional over such minimum as provided.]

38-2-12 CHARGE FOR DISCONTINUING SERVICE. If water is temporarily shut off at the request of the user during normal working hours, there shall be a charge of **Twenty Dollars (\$20.00)** for such service. If water is temporarily shut off at the request of the user after normal working hours, a charge of **Fifty Dollars (\$50.00)** shall be made for such service. **(Ord. No. 1233; 09-03-02)**

38-2-13 METERS TESTED BY REQUEST; DEPOSIT REQUIRED. A customer may request a meter to be tested for accuracy. Each request for the test of a meter for accuracy shall be accompanied by a deposit of **One Hundred Sixty Dollars (\$160.00)**.

If the meter so tested shall be found to be accurate within the limits prescribed by the **Illinois Commerce Commission**, the deposit shall be retained by the Water and Sewer Department as compensation for such test. If the error in registration is found to be more than that permitted by the Commission, then the cost of the test shall be borne by the Department and the amount of the deposit shall be returned to the customer. The customer's bill shall be adjusted for the previous **thirty (30) days** in accordance with the result of the tests if an error is established.

The quantity of water recorded by the meter shall be accepted as correct by both the customer and the Water Department except when the meter has been found to be registering inaccurately or has ceased to register. In either case, the meter will be replaced by the Water Department and the quantity of water used will be determined by the registration of the meter in the same period for the preceding year. If residency has been less than **twelve (12) months**, the registration of meter shall be an average of the preceding months. **(Ord. No. 1231; 09-03-02)**

38-2-14 INSTALLATION OF SERVICE LINES – WITHIN CORPORATE LIMITS. The lot owner shall be responsible for the installation of service lines between the water main and the residence or business in accordance with applicable sections of **Chapter 38 - Utilities, Article III - Water System Regulations.** Service lines must be at least **three-fourths (3/4) inch** inside diameter and have a minimum working pressure rating of **160 psi at 73.4 degrees Fahrenheit.** The tubing material shall be clearly marked with the appropriate AWWA, ASTM, and/or NSF certification, be installed at a minimum depth of **three and one-fourth (3 ¼) feet,** and shall meet all requirements of the State of Illinois Environmental Protection Agency. The service line from the point where it connects with City’s water main to the meter vault must be of Copper, Type K, material. The meter vault shall be installed at the property line whenever possible. The service line from the meter vault to the residence or business must be constructed of one of the following types of materials: Copper, Type K, Polyvinyl chloride (PVC), polyethylene or polybutylene. Service lines and connections shall not be covered until they are inspected and approved by a duly authorized City representative. The user shall not connect any service line or any plumbing connected with the service line to any other water source. **(Ord. No. 1244; 12-19-02)**

38-2-15 COST OF TAP AND WATER SERVICE CONNECTIONS. The tap-in connection fee for all water tap and service connections **one (1) inch** or less made to the mains of the City Waterworks System shall be **One Thousand Dollars (\$1,00.00),** plus the cost of all materials provided by the City.

The tap-in connection fee for all water tap and service connections over **one (1) inch** made to the mains of the City Waterworks System shall be **Twelve Hundred Dollars (\$1,200.00),** plus the cost of all materials provided by the City. **(Ord. No. 1475; 06-01-10)**

38-2-16 WATER RATES. The following rates for the use and service supplied by the Waterworks System shall be based upon the amount of water consumed as follows:

(A) <u>Residential - Inside Corporate Limits.</u>	
First 1,000 gallons	\$7.21 MINIMUM RATE PER MONTH (includes \$1.00 water meter service charge)
Next 1,001 - 25,000 gallons	\$6.21 per 1,000 gallons per month (or .621 per 100 gallons used)
Next 25,001 gallons & above	\$5.49 per 1,000 gallons per month (or .549 per 100 gallons used)

(Ord. No. 1555; 09-03-13)

(B) <u>Residential - Outside Corporate Limits.</u>	
First 2,000 gallons	\$25.93 MINIMUM RATE PER MONTH
Next 2,001 - 25,000 gallons	\$7.87 per 1,000 gallons per month (or .787 per 100 gallons used)
Next 25,001 gallons & above	\$6.84 per 1,000 gallons per month (or .684 per 100 gallons used)

(Ord. No. 1555; 09-03-13)

(C) **Service Fee - Outside Corporate Limits.** The monthly meter service fee for outside customers shall be as follows:

3/4 inch	\$1.00	2 inch	\$36.00
1 inch	\$3.00	3 inch	\$66.00
1 1/2 inch	\$24.00	4 inch	\$90.00

(D) **Annual Review of Rates.** The adequacy of the water rates shall be reviewed, not less often than annually, by Certified Public Accountants for the City of Trenton in their annual audit report. The water rates shall be revised periodically to reflect a change in local capital costs of operation, maintenance and replacement costs.

(E) **Increase by SLM.** If any fee or rate increases are assessed to the City by the Summerfield, Lebanon, Mascoutah Water District ("SLM") for the provision of water, the then current water rates of the City charged to the end user shall automatically be increased by the same amount as such fee or rate increase by SLM.

Ord. No. 1553; 08-06-13

(F) **Appeals.** The method for computation of rates and service charges established for user shall be made available to a user within **fourteen (14) days** of receipt of a written request for such. Any disagreement over the method used or in the computations thereof shall be remedied by the Mayor and City Council within **thirty (30) days** after notification of a formal written appeal outlining the discrepancies. **(Ord. No. 1119; 09-05-00)**

38-2-17 SEWER RATES. There are hereby established the following basic rates and charges for the use of the service rendered by the sanitary sewerage system of the City.

(A) **Inside City: Sewer With Water Meter.**

First	2,000 gallons	\$15.00 MINIMUM RATE PER MONTH
Over	2,000 gallons	\$8.50 per 1,000 gallons per month

(B) **Outside City: Sewer With Water Meter.**

Outside Corporate Limits	\$12.16 per 1,000 gallons per month
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(C) **Sewer Without Water Meter.**

Residential	\$45.59 per month
Commercial	\$93.71 per month

(Ord. No. 1525; 10-02-12)

(D) **Suspended Solids Rate.** In addition to the above charges for quantity of water used, an additional charge shall be levied for any wastewater discharged into the sewer system which contains more than **two hundred fifty milligrams per liter (250 mg/l)** of suspended solids as determined by the analytical methods published in the latest edition of Standard Methods for the Examination of Water and Wastewater. Charges for all suspended solids in the wastewater in excess of **two hundred fifty milligrams per liter (250 mg/l)** shall be at the rate of **Three Cents (\$0.03)** per pound.

(E) **B.O.D. Charge.** An additional charge shall also be assessed for any wastewater discharged into the sewer system which exerts more than **two**

hundred milligrams per liter (200 mg/l) in biochemical oxygen demand (BOD) as determined by analytical methods published in the latest edition of Standard Methods for the Examination of Water and Wastewater. Charges for all BOD in excess of **two hundred milligrams per liter (200 mg/l)** shall be at the rate of **Six Cents (\$0.06)** per pound.

38-2-18 SEWER RATE REGULATIONS. Such rates and charges shall be made and collected against each lot, parcel of land or premises situated in the City which may actively discharge sewage or industrial waste, either directly or indirectly, into the sewerage system.

(A) The basis for charges shall be the monthly water meter readings or estimates of the City.

(B) All accounts whether residential or commercial supplied with water from sources other than the City shall be charged a flat sewer rate. **(See Section 38-2-17(C)). (Ord. No. 1379; 09-06-05)**

(C) Users of the treatment works not connected to a sewer shall be subject to the monthly billing charges, plus additional charges where applicable and the minimum charge provided therein for each discharge of sewage at the treatment plant.

(D) **Adjustments to Sewer Charges.**

(1) **Water Leak.** When there is evidence of a water leak, the current account holder may apply for a sewer charge adjustment for the month in which the water leak occurred to the extent the water consumption exceeds the previous **three (3) month** water consumption average by a minimum of **three thousand (3,000) gallons** of water.

(2) **Swimming Pool.** An account holder may apply for a sewer charge adjustment when a swimming pool is filled by submitting proof to the City of the amount of water used to fill the swimming pool and that the water will not be discharged into the public sewer. An account holder may apply for this swimming pool adjustment only once a year. **(Ord. No. 1379; 09-06-05)**

(E) The Mayor and City Council or such other officials or employees designated by the City Council shall make and enforce all rules and regulations as may be deemed necessary for the safe, economical, and efficient management, operation, and protection of the sewerage system and for the regulation and collection of charges for sewer service.

(F) In accordance with **Federal Regulations 40 CFR 35.935-13(b)**, an annual audit shall be conducted which shall include the Sewage Treatment Works and the income and expenses thereof.

ARTICLE III - WATER SYSTEM REGULATION**DIVISION I - GENERALLY**

38-3-1 APPLICATION FOR SERVICE CONNECTIONS TO WATERWORKS SYSTEM. An applicant desiring a water service connection with the City Waterworks System shall file a written application at the City Hall, signed by the owner of the property for which the water service connection is desired, or by the duly authorized agent of the property owner. The application shall be accompanied by payment of the fee prescribed in **Section 38-2-15** to cover the cost of the requested service connection. In the event the application is made by an agent for the owner, then the application shall also be accompanied by the written authority of the owner to the agent to submit the application. As soon as possible thereafter, the Superintendent of the Water and Sewer Department shall authorize the applicant to install the water service line(s), tap in connections, meter vault(s), and meter yoke(s) using the type material specified in **Section 38-2-14**. The service line between the water main and the property line shall be installed in the street right-of-way, alley way, or in a legally authorized easement to be obtained and provided to the City by the applicant. All costs of this installation shall be borne by the applicant. **(Ord. No. 1244; 12-19-02)**

38-3-2 ALL SERVICE TO BE BY METER. All water service use shall be metered. An individual meter shall be required for each premise and for each separate service connection to a premise. Meters shall be installed at or as near to the property line and all outside meters must be installed in a vault approved by the Superintendent of the Water and Sewer Department and be sufficiently deep to be free from danger of freezing. Installed meters must also be so placed to allow ready access at all times for reading and repair by City maintenance personnel. Water shall not be turned on at any premise until the meter has been installed and all other requirements of this Chapter have been fully complied with. **(Ord. No. 1244; 12-19-02)**

38-3-3 METER DAMAGED. Whenever a meter is found to have been damaged by hot water being forced back into it from the consumer's hot water or heating apparatus, or for any other cause within control of the consumer, the consumer shall pay the City for the actual cost of the removal, repair and replacement of the damaged meter and all previous waterfalls shall be corrected on an estimated basis to cover such period as it appears that the meter was out of order for such damage.

38-3-4 DANGEROUS USAGE. The City shall have the right to refuse water service or to discontinue water service without notice at any time to any consumer if the City finds any apparatus or appliances, the operation of which will be detrimental to the water system of the City or to any or all of its consumers. Standpipes, hydrants, gate valves and any other apparatus that cause water hammer or any danger to the water system or other customer's plumbing shall be immediately

repaired or removed upon notice from the City or, at its option, the City may immediately discontinue the service without notice and without any liability for damages direct or resulting therefrom.

38-3-5 **ELECTRIC GROUND WIRES.** All persons are strictly forbidden to attach any electric ground wire to any plumbing or water piping which is or may be connected to any water service pipe, water meter or water main belonging to the City. The City will hold the owner of the premises responsible and liable for any damage to the property or injury to the employees of the City caused by such ground wire. All owners and consumers shall remove any existing ground wires immediately upon written notice from the City. If not so disconnected within **five (5) days** of written notice, the City, through its officials, may enter the property and remove such ground wires and the consumer shall pay all costs.

38-3-6 **MAINTENANCE LIABILITY.** The City shall accept liability for any future expenses for the alteration and repair or other changes to the service line between the water main and the respective property line following satisfactory installation of the service line, meter well, and meter yoke by the applicant and inspection by the City as specified in **Section 38-2-14**. The owner shall be liable for any future expenses for the alteration, repair, extension, or other changes to the service line from the property line to his/her residence or business. Any alterations, repair, or changes to the service line or connections shall require an inspection by the City in accordance with **Section 38-2-14** and all other applicable regulations. (**Ord. No. 1244; 12-19-02**)

38-3-7 **SHORTAGE AND PURITY OF SUPPLY.** The City shall not be held responsible for or in any manner liable to any person, company, consumer, or public body for any claim or damage, either direct or resultant because of any shortage of water supply or any shut-off of water supply for any reason, any bursting or leakage of either the consumer's or City's mains, pipes and fixtures, any pollution or impurity in water supply, or any fire or water damage.

38-3-8 **LAWN WATERING.** The right is reserved to suspend the use of lawn fountains, hoses for sprinkling lawns and gardens and car washing whenever, in the opinion of the City Council, public exigencies require it.

38-3-9 **NON-COMPLIANCE WITH RULES.** If any consumer fails to comply fully with any of the rules, and regulations in force, the City shall notify the consumer of such failure. If the consumer does not remedy the same as the rules provide and within a reasonable time, the City shall have the right to discontinue service. Except in cases of non-payment emergency, necessity, or as otherwise provided, the City will not discontinue service for violation of any rules until **five (5) days** after notice has been given and the existing violation has not been remedied.

38-3-10 INSPECTION.

(A) **Access to Premises.** The City shall have access to all portions of the premises of the consumer at any reasonable time for inspection of the use of water and the consumer's pipe, fixtures, plumbing, and any other apparatus in any manner connected to the Water System of the City. The City shall have the right and option to demand change or discontinuance of use or to require any repair, change, removal or improvement of any pipe, fixture, plumbing or other apparatus that would, in any manner, affect the water supply or system of the City or the supply or fixtures of other consumers.

(B) **Meters Open to Inspection.** All water meters and water fixtures, connections and appurtenances on private property connected with the Waterworks System of the City shall be open to the inspection of the proper officers and employees of the City at all reasonable hours.

38-3-11 FIRE HYDRANTS.

(A) All hydrants shall be owned, maintained and used only by the City. Use of water from the fire hydrants by contractors and others shall be only upon permission by the City after approved application to the City.

(B) The City shall not be held liable and will not assume any responsibility for the condition of any fire hydrant inside or outside the City Limits or the pressure or amount of water obtainable therefrom or any damages, either direct or resultant because of the condition, pressure, or amount of water available from any fire hydrant.

(C) All public fire hydrants outside any City Limits which are owned by the City will be maintained in as good order as reasonably possible, but the City will not undertake or assume any responsibility or liability for their condition, use or abuse. Such public fire hydrants shall be used only for the purpose of extinguishing fire, except when the City may issue a special permit for their use to contractors who shall then be responsible for the hydrants and the use of water from them.

38-3-12 - 38-3-15 RESERVED.

DIVISION II - CROSS-CONNECTION CONTROL

38-3-16 **REQUIREMENTS.** All plumbing installed within the City shall be installed in accordance with the **Illinois Plumbing Code, 77 Ill. Adm. Code 890.** If, in accordance with the **Illinois Plumbing Code,** or if, in the judgment of the City Superintendent, an approved backflow prevention device is necessary for the safety of the public water supply system, the Superintendent shall give notice to the water customer to install such an approved device immediately. The water customer shall, at his own expense, install such an approved device at a location and in a manner in accordance with the **Illinois Plumbing Code, Illinois Environmental Protection Agency** and all applicable local regulations, and shall have inspections and tests made of such approved devices upon installation and as required by the **Illinois Plumbing Code, Illinois Environmental Protection Agency and local regulations.**

38-3-17 **PRIVATE CONNECTION UNLAWFUL.** No person shall establish or permit to be established or maintain or permit to be maintained any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of the City enters the supply or distribution system of the municipality unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the City Superintendent and the **Illinois Environmental Protection Agency.**

38-3-18 **INVESTIGATION BY SUPERINTENDENT.** It shall be the duty of the City Superintendent to cause surveys and investigations to be made of commercial, industrial and other properties served by the public water supply to determine whether actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated at least every **two (2) years,** or as often as the Superintendent shall deem necessary. Records of such surveys shall be maintained and available for review for a period of at least **five (5) years.**

38-3-19 **CROSS-CONNECTION CONTROL INSPECTOR.** The approved cross-connection control device inspector shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the City for the purpose of verifying the presence or absence of cross-connections, and that the Superintendent or his designated authorized agent shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the City for the purpose of verifying information submitted by the customer regarding the required cross-connection control inspection. On demand, the owner, lessee(s) or occupants of any property so served shall furnish to the Superintendent any information which he may request regarding the piping system or systems or water use on such property. The refusal of such

information when demanded shall, within the discretion of the Superintendent, be deemed evidence of the presence of improper connections as provided in this Code.

38-3-20 DISCONTINUANCE OF SERVICE. The City Superintendent is hereby authorized and directed to discontinue, after reasonable notice to the occupants thereof, the water service to any property wherein any connection in violation of the provisions of this Code is known to exist, and to take such other precautionary measures as he may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions have been eliminated or corrected in compliance with the provisions of this Code and until a reconnection fee of **Fifty Dollars (\$50.00)** is paid to the City. Immediate disconnection with verbal notice can be effected when the Superintendent is assured that imminent danger of harmful contamination of the public water supply system exists. Such action shall be followed by written notification of the cause of disconnection. Immediate disconnection without notice to any party can be effected to prevent actual or anticipated contamination or pollution of the public water supply, provided that, in the reasonable opinion of the City Superintendent or the **Illinois Environmental Protection Agency**, such action is required to prevent actual or potential contamination or pollution of the public water supply. Neither the public water supply, the Superintendent or agents or assigns shall be liable to any customer for any injury, damages or lost revenues which may result from termination of the customer's water supply in accordance with the terms of this Code, whether or not said termination was with or without notice.

38-3-21 CONTAMINATION COSTS. The consumer responsible for backsiphoned material or contamination through backflow must bear the cost of clean-up of the potable water supply system if contamination of the potable water supply system occurs through an illegal cross-connection or an improperly installed, maintained or repaired device or a device which has been bypassed.

38-3-22 - 38-3-24 RESERVED.

[Unless Otherwise Noted, This Division #794; 02-02-88]

DIVISION III - WATER - OUTSIDE CORPORATE LIMITS

38-3-25 **GENERAL.** The following rules and regulations shall be applicable to the supply of water and the furnishing of services to applicants by the City.

38-3-26 **APPLICATION FOR SERVICE.** All applications for the use of water must be made in accordance with this Chapter. Application shall be accepted subject to Section 38-2-10.5, there being an existing main in a street or right-of-way abutting on the premises to be served, but acceptance shall in no way obligate the City to extend its mains to service the premises excepting as hereinafter provided. A separate application must be made for each premises. **(Ord. No. 1585; 06-10-14)**

38-3-27 **TEMPORARY SERVICE.**

(A) Application of builders, contractors, real estate developers and others for temporary water service will be accepted and temporary water service will be supplied providing it does not interfere with the use of water for general purposes. The quantity of water taken for such purposes shall be determined either by meter or by estimate, and shall be paid for in accordance with the rate schedule. Customers requiring temporary water service shall reimburse the City for all its expense in connection with providing the necessary temporary service connections.

(B) No agreement shall be entered into by the City with any applicant for service until all charges due from the applicant for water or services at any premises now or heretofore owned or occupied by him which are in arrears shall have been paid.

(C) Whenever a person, private corporation, or special improvement district shall make application to the **Illinois State Department of Public Health** for its approval to take a water supply or an additional water supply from the City or special improvement district which is then supplied by the City, the applicant shall file with the City on or before making such application to the **State Department of Public Health**, a true copy of its petition, maps, plans, engineering reports, exhibits and other papers filed with the Health Department in support of its application. The City shall have the right to reject any such applicant in the event the plans do not meet with its approval.

(D) Whenever the owner or operator of a mobile home court applies for the service of water to the court, there shall be furnished to the City a map or plan thereof showing its location, the estimated number of mobile homes and other structures to be served, and the arrangement of roads, driveways and lanes affording access to and within the limits of the mobile home court.

38-3-28 **INSTALLATION OF WATER SERVICE – OUTSIDE CORPORATE LIMITS.**

(A) **Service Connection - Water Service.** Upon receipt at City Hall of a written application for water service from a property owner or his/her authorized representative and upon payment of the applicable service charge the City will permit

tap-on to the City water main. For more specific direction refer to **Section 38-3-1**, Applications for Service Connections to Waterworks System and **Section 38-2-14**, Installation of service lines as well as all other applicable provisions of the Revised Code of Ordinances of the City of Trenton, Illinois, as amended and the applicable Illinois Plumbing Code.

(B) **Liability of Owner.** All installation, alterations, or repair costs related to the water service line or connections shall be borne by the owner or his/her designated representative. Any alterations and/or repairs of a service line or connections must be inspected by the City's Superintendent of the Water and Sewer Department or his designated representative prior to being covered.

(C) **Minimum Size.** Refer to **Section 38-2-14**, Installation of Service Lines.

(D) **Easements.** Applicants for the installation of service lines installed outside corporate limits shall deliver without cost to the City, any permanent easements or rights-of-way needed to facilitate the installation and maintenance of the requested service lines, meter vaults, and connections. The City shall not approve any requests for the installation or repair of a service line until all necessary easements or rights-of-way are obtained.

(E) **Delay.** The City shall not authorize the installation, alteration, or repair of a service line or connection to be begin until assured by the applicant that the work can be completed without jeopardizing safety or causing undue inconvenience to adjoining property owners and/or local area residents. **(Ord. No. 1244; 12-19-02)**

38-3-29 INSTALLATION OF METER.

(A) An individual meter shall be required for each premises and for each separate service connection to a premise. Meters installed outside corporate limits shall be installed as close to the City water main as feasible. **(Ord. No. 1244; 12-19-02)**

(B) The meter shall be furnished by the City as part of the service connection described in this Chapter. The City reserves the right in all cases to stipulate the size, type and make of the meter to be used on any connection.

(C) The meter shall be located at a convenient point approved by the City so as to protect the meter and to measure the entire supply of water through the connection.

(D) The City may require meters larger than **two (2) inches** in size to be set near and inside the property line or in a place designated by the City, and all expenses incurred by the City in connection with their proper housing, including by-pass for testing, if repaired, shall be reimbursed to the City. All meters **two (2) inches** or larger shall have a bypass for testing.

(E) All meters and meter connections shall, at all times, remain the sole property of the City, and shall not be interfered with in any respect. All meters will be maintained by and at the expense of the City so far as ordinary wear and tear are concerned, but the customer shall be held responsible for damages due to hot water and other external causes. In case of damage caused by the customer, the City will

repair the meter if necessary, replacing it with another meter and the costs shall be paid by the customer. The City recommends that the customer install, at his own expense, suitable equipment, properly located to prevent backflow of hot water which may cause damage to the meter, or other damage to the customer's plumbing.

(F) The City reserves the right to remove and test any meter at any time and to substitute another meter in its place. In case of a disputed account involving the accuracy of the meter, such meter will be tested by the City upon the request of the customer. The fee for testing such meter shall be **Twenty Dollars (\$20.00)** payable in advance of the test. In the event that the meter so tested is found to have an error in registration to the prejudice of the customer in excess of **four percent (4%)** of any rate of flow within the normal test-flow limits, the fee advanced for testing will be refunded and prior water bills will be adjusted to correct such over-registration.

(G) Meters larger than **two (2) inches** in size shall be tested in place at frequent intervals.

(H) The City shall not be liable for damages to any premises caused by flooding in connection with the testing or removal of any meter.

38-3-30 RESERVED.

DIVISION IV - EXTENSION OF MAINS

38-3-31 **MAIN EXTENSION AGREEMENTS.** Upon application for water service in areas not served by a City-owned water main, the City may, with approval of the City Council, authorize the extension of the main at the expense of the applicant.

38-3-32 **EASEMENTS.** Applicants for main extensions shall deliver, without cost to the City, permanent easements or rights-of-way when necessary for the installation and maintenance of the extensions or subsequent additions thereto. The City shall not be obligated to authorize any construction until all requirements of this Chapter have been met.

38-3-33 **SIZE AND TYPE.** The City reserves the right to determine and specify the diameter and type of pipe required to provide the service requested, and subject to the requirements of municipal authorities, its location within or without the limits of a street. The City further reserves the right to install a main larger in diameter than the main required to render the service requested, in which case, the City will pay the difference in cost.

38-3-34 **TITLE.** Title to all main extensions shall be vested in the City and the City shall have the right to further extend any main installed in and to other streets or premises without repayment or refund to any applicant. However, the City reserves the right to consider extensions made at the applicant's expense and without written agreement as to service lines. Upon such lines the City will set a meter at the beginning of the extension to measure all water used and title to the line beyond the meter will be vested in the customer who shall be responsible for maintenance and replacement, when necessary.

38-3-35 **MAINTENANCE AND REPLACEMENT.** The City, at its own expense, shall maintain and when necessary, replace the City-owned mains used to supply water to its customers, and if adequate service requires the reconstruction or replacement of such mains, the mains shall be reconstructed or replaced by the City at its expense.

38-3-36 **AUTHORIZATION AND INSPECTION REQUIREMENTS.** The Superintendent of Public Works or his designee shall approve in writing all requests for tapping into or extending a City water main. The Superintendent of Public Works or his designee must also inspect for adequacy the work accomplished on any component of the water system prior to it being covered. This process is required as an effort to preserve and/or improve the integrity of the City's Water System. Any disputes will be settled in favor of the City. **(See Utilities Appendix "A" Application for Water System Service Connection and Utilities Appendix "H" Certificate of Inspection, Approval and Permit.)**

ARTICLE IV - SEWER SYSTEM

DIVISION I - GENERAL PROVISIONS

38-4-1 DEFINITIONS. Unless the context specifically indicates otherwise, the meaning of terms used in this Code shall be as follows:

"BOD" (Denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of the organic matter under standard laboratory procedure in **five (5) days** at **twenty degrees Celsius (20° C.)** expressed in milligrams per liter (mg/l).

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

"BUILDING SEWER" shall mean the extension from the building drain to the public sewer or other place of disposal.

"COMBINED SEWER" shall mean a sewer receiving both surface runoff and sewage.

"COMPATIBLE POLLUTANT" shall mean biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, plus additional pollutants identified in the NPDES permit if the publicly-owned treatment works was designed to treat such pollutants, and in fact does remove such pollutants to a substantial degree. Examples of such additional pollutants may include chemical oxygen demand, total organic carbon, phosphorus and phosphorus compounds, nitrogen and nitrogen compounds, and fats, oils, and greases of animal or vegetable origin except as prohibited under prohibited wastes. **(See Section 38-4-42)**

"CONTROL MANHOLE" shall mean the manhole at which the hydraulic and the pollutant loading may be sampled or metered.

"DEBT SERVICE" shall mean the amount of money necessary annually to:

- (A) pay the interest on the outstanding debt;
- (B) pay the principal of maturing bonded debt not payable from a sinking fund; or
- (C) provide a fund for the redemption of bonds payable from a sinking fund.

"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.

"INCOMPATIBLE POLLUTANT" shall mean any pollutant which is not a compatible pollutant as defined in "compatible pollutant".

"INDUSTRIAL USER" shall mean that user which has been determined as introducing wastewater from industrial processes, trade or business into the system as distinct from domestic or sanitary wastes.

"INDUSTRIAL WASTES" shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

"MAINTENANCE" shall mean the upkeep necessary for efficient operation of physical properties. It involves labor and materials, but is not to be confused with "replacement" or "retirement".

"MAJOR CONTRIBUTING INDUSTRY" shall mean an industrial user of the publicly-owned treatment works that:

(A) has a flow of **fifty thousand (50,000) gallons** or more per average work day;

(B) has a flow greater than **five percent (5%)** of the flow carried by the municipal system receiving the waste;

(C) has in its waste a toxic pollutant in toxic amounts as defined in standards issued under **Section 307(a) of the Act**; or

(D) is found by the permit issuance authority, in connection with the issuance of an 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.

"NPDES PERMIT" shall mean the **National Pollutant Discharge Elimination System Permit** issued in compliance with the provisions of the **Federal Water Pollution Control Act, as amended (33 U.S.C., P 1251, et seq.)**

"NATURAL OUTLET" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

"NON-INDUSTRIAL USER" shall mean that user which has been determined as introducing primarily segregated domestic wastewater into the system.

"OPERATION" shall mean doing or performing a work involving practical application of wastewater treatment processes.

"PHE" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

"PPM" shall mean "parts per million".

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

"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.

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

"REPLACEMENT" shall mean the installation of new or alternate equipment in place of existing equipment for a variety of reasons, such as obsolescence, total disrepair, improvement, or modification.

"SANITARY SEWER" shall mean a sewer which carries sewage and to which storm, surface and groundwaters are not intentionally admitted.

"SERVICE CHARGE" shall mean a charge levied on a user of treatment works for the cost of operation and maintenance of such works. (Synonymous with "User Charge")

"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.

"SEWAGE TREATMENT PLANT" shall mean any arrangement of devices and structures used for treating sewage.

"SEWAGE WORKS" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

"SEWER" shall mean a pipe or conduit for carrying sewage.

"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.

"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.

"SUPERINTENDENT" shall mean the City Superintendent or his authorized deputy, agent, or representative.

"SUSPENDED SOLIDS" shall mean solids that either float on the surface of or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

"USER CHARGE" shall mean a charge levied on a user of treatment works for the cost of operation and maintenance of such works. (Synonymous with "Service Charge")

"WATERCOURSE" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

38-4-2 RESERVED.

DIVISION II**USE OF PUBLIC SEWERS REQUIRED**

38-4-3 UNLAWFUL DEPOSIT. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City or in any area under the jurisdiction of the City, any human or animal excrement, garbage, or other objectionable waste.

38-4-4 DISCHARGE OF POLLUTED WATERS. It shall be unlawful to discharge to any natural outlet within the City or in any area under jurisdiction of the City, any sewage or other polluted waters except where suitable treatment has been provided in accordance with subsequent provisions of this Code.

38-4-5 PRIVIES PROHIBITED. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

38-4-6 CONNECTION TO SEWER SYSTEM REQUIRED. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the City 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 City, 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 Code within **ninety (90) days** after the date of official notice to do so, provided that the public sewer is within **two hundred (200) feet** of the property line. No such connection shall be required or permitted when the downstream capacity of the sanitary sewage works have insufficient capacity to accommodate the additional flow anticipated by such connection. **(Ord. No. 884; 05-05-92)**

The City, at its sole discretion, may elect to install that portion of the building sewer system which lies within the streets, right-of-way, and/or easements controlled by the City. The City shall bill the applicant for the cost of work performed by the City at the City's current rates for labor, materials, and equipment, plus a service charge for record keeping and invoicing.

The owner, occupant, or his/her designated representative shall be responsible for installing that portion of the building sewer not installed by the City. Should the City, at its sole discretion, decide not to perform the installation of that portion of the building sewer lying within City controlled streets, right-of-way, or easements, the owner, occupant, or his/her designated representative shall be responsible for the entire installation in accordance with all applicable provisions of the Revised Code

of Ordinances of the City of Trenton, Illinois, as amended, and any other applicable laws, rules, regulations or codes. **(Ord. No. 943; 09-06-94)**

38-4-7 AUTHORIZATION AND INSPECTION REQUIREMENTS. The Superintendent of Public Works or his designee must approve in writing all requests for tapping into or extending the City's Sanitary Sewer System. The Superintendent of Public Works or his designee must also inspect for adequacy the work accomplished on any component of the sewer system prior to it being covered; this inspection is primarily of the wye or tee connection of the building sewer into the public sewer. **(See Sections 38-4-32 and 38-4-33)** This process is required as an effort to preserve and/or improve the integrity of the City's Sanitary Sewer System. Any disputes will be settled in favor of the City. **(See Utilities Appendix "C" Residential or Commercial Building Sewer Application; Utilities Appendix "D" Industrial Sewer Connection Application; Utilities Appendix "E" Certificate of Inspection, Approval and Permit.) (Ord. No. 1081; 04-06-99)**

DIVISION III - PRIVATE SEWAGE DISPOSAL

38-4-8 PRIVATE SYSTEMS. Where a public sanitary or combined sewer is not available under the provisions of **Section 38-4-6**, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Code.

38-4-9 PERMIT REQUIRED FOR CONSTRUCTION. Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Superintendent. The application for such permit shall be made on a form furnished by the City which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the Superintendent. A permit and inspection fee of **Twenty-Five Dollars (\$25.00)** shall be paid to the City at the time the application is filed.

38-4-10 INSPECTION BY SUPERINTENDENT. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Superintendent when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within **sixty (60) hours** of the receipt of notice by the Superintendent.

38-4-11 E.P.A. REQUIREMENTS. The type, capacities, location and layout of the private sewage disposal system shall comply with all recommendations of the **Environmental Protection Agency of the State of Illinois**. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than a size suitable for installation of an effective system. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.

38-4-12 CONNECTION TO PUBLIC SEWER. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in **Section 38-4-11**, a direct connection shall be made to the public sewer in compliance with this Code and any septic tanks, cesspools and/or similar private sewage disposal facilities shall be abandoned and filled with suitable material.

38-4-13 OPERATION AND MAINTENANCE. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times at no expense to the City.

38-4-14 **INTERFERENCE WITH AUTHORITIES.** No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by any County agency or the State of Illinois.

38-4-15 **CLOSING OF PRIVATE SYSTEM.** When a public sewer becomes available the building sewer shall be connected to the public sewer within **sixty (60) days** and the private sewage disposal system shall be cleaned of sludge and filled with clean, bankrun gravel or dirt.

38-4-16 - 38-4-19 **RESERVED.**

DIVISION IV - CONNECTION TO PUBLIC SEWERS

38-4-20 PERMIT FOR CONNECTION. No person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent. **(Ord. No. 1585; 06-10-14)**

38-4-21 SEWER PERMIT CLASSES AND COSTS. There are **four (4) classes** of sewer permits. Each class along with the required permit fee is as listed below:

- (A) For residential and commercial service areas – **Twelve Hundred Dollars (\$1,200.00)**
- (B) For residential and commercial services areas when connected through a lift station - **Twelve Hundred Dollars (\$1,200.00)**
- (C) For industrial service areas
 - (1) ¾" line – **Twelve Hundred Dollars (\$1,200.00)**
 - (2) 1" line – **Fifteen Hundred Dollars (\$1,500.00)**
 - (3) 2" line – **Two Thousand Dollars (\$2,000.00)**
- (D) For industrial service areas when connected through a lift station - **Twelve Hundred Dollars (\$1,200.00)**

In either case, the owner or his/her agent shall make application for a permit on a special form furnished by the City. Each permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the City's Superintendent of Public Works. The applicable fee for each class permit shall accompany the permit application. **(Ord. No. 1585; 06-10-14)**

No connection shall be permitted when the downstream capacity of the sanitary sewage works have insufficient capacity to accommodate the additional flow anticipated by such connection.

Any non-City resident who wishes to connect into the City sewer system must first comply with Section 38-2-10.5. **(Ord. No. 1585; 06-10-14)**

38-4-22 COSTS BORNE BY THE APPLICANT OR OWNER. 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 City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

38-4-23 INDEPENDENT BUILDING SEWER. 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 construed 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. A separate sewer line is

required for each single family attached dwelling unit whether a uniplex, villa, townhouse or condominium. **(Ord. No. 1379; 09-06-05)**

38-4-24 OLD SEWERS EXTENDED. Old building sewers may be used in connection with new buildings only when they are found upon examination and test by the Superintendent, to meet all requirements of this Code.

38-4-25 PIPE MATERIAL. The building sewer shall be cast iron soil pipe ASTM specification (A74-42) or equal (or most current ASTM Designation); or vitrified clay sewer pipe, ASTM specification (C-13-59T) or equal (or most current ASTM Designation); or PVC pipe, ASTM specification (D-3034, DR 35); or other suitable material approved by the Superintendent. Joints shall be tight and waterproof. Any part of the building sewer that is located within **ten (10) feet** of a water service pipe shall be constructed of cast iron soil pipe with leaded joints or equal substitute. Cast iron pipe with leaded joints may be required by the Superintendent where the building sewer is exposed to damage by tree roots. If installed in filled, unstable ground, the building sewer shall be of cast iron soil pipe, except that non-metallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the Superintendent.

38-4-26 SIZE AND SLOPE. The size and slope of the building sewer shall be subject to the approval of the Superintendent, but in no event shall the diameter be less than **four (4) inches**. The slope of such **four (4) inch** pipe shall not be less than **one-eighth (1/8) inch** per foot. For larger sizes of pipe, the minimum slopes shall be according to all state and local regulations. **(Ord. No. 943; 09-06-94)**

38-4-27 BASEMENT DRAINAGE. Wherever possible, 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 if within **three (3) feet** of said wall, which might thereby be weakened. 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 possible. Changes in direction or grade shall be allowed only when a proper manhole is constructed at the location of the change.

38-4-28 LOW BUILDING DRAIN. In all buildings in which any building 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.

38-4-29 ROOF DOWNSPOUTS. 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.

38-4-30 TRENCHING AND BACKFILLING. 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 (C12-59-T) (or most current ASTM Designation) except that no backfill shall be placed until the work has been inspected.

38-4-31 JOINTS AND CONNECTIONS.

(A) All joints and connections shall be made gastight and watertight. All cast iron pipe joints shall be firmly packed with oakum or hemp and filled with molten lead, Federal Specification (QQ-L-156) (or most current Federal Specification) not less than **one (1) inch** deep. Lead shall be run in one pouring and caulked tight. No paint, varnish, or other coatings shall be permitted on the jointing material until after the joint has been tested and approved.

(B) All joints in vitrified clay pipe or between such pipe and metals shall be made with approved hot-poured jointing material, approved rubber gaskets, oakum and Sewertite, Am-Vit or an approved equal method and material.

(C) Material for hot-poured joints shall not soften sufficiently to destroy the effectiveness of the joint when subjected to a temperature of **one hundred sixty degrees Fahrenheit (160°F)**, nor be soluble in any of the wastes carried by the drainage system. The joint shall first be caulked tight with jute, hemp or similar approved material. Other jointing materials and methods may be used only by approval of the Superintendent.

38-4-32 WYE OR TEE CONNECTION REQUIRED. The connection of the building sewer into the public sewer shall be made at the "T" branch if such branch is available at a suitable location. If the public sewer is **twelve (12) inches** in diameter or less and no properly located "T" branch is available, the owner shall, at his expense, install a "T" branch in the public sewer at the location specified by the Superintendent. Where the public sewer is greater than **twelve (12) inches** in diameter and no properly located "T" branch is available, a neat hole may be cut into the top of the public sewer to receive the building sewer with entry in the downstream direction at an angle of **ninety degrees (90°)**. The building sewer shall be constructed with a minimal horizontal drop of **one (1) foot** from point of origin to the point of connection of the building sewer line with the public sewer line, and with such additional horizontal drop as may be necessary, if any, to facilitate the flow of sewage from building sewer line to the public sewer line. A **ninety degree (90°)** ell may be used to make such connection with the spigot end cut so as not to extend past the inner surface of the public sewer. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer, but no higher than a point **one-half (1/2)** the vertical distance between the invert and the crown of the sewer. A smooth, neat joint shall be made and the connection made secure and watertight by encasement in concrete. Special fittings may be used for the connection only when approved by the Superintendent. Manholes shall be constructed at any

junction of a **ten (10) inch** diameter line or larger into a public sewer. **(Ord. No. 979A; 05-07-96)**

39-4-33 INSPECTION. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready to be connected to the public sewer. The connection shall be made under the supervision of the Superintendent or his representatives. **(Ord. No. 1154; 07-03-01)**

38-4-34 BARRICADES AND LIGHTS. 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 City and any other governmental agency affected.

38-4-35 LACK OF CAPACITY. New sewer connections are prohibited where there is a lack of capacity in all downstream sewers, lift stations, force mains and sewage treatment plant, including capacity to treat BOD and Suspended Solids so as to cause the City to violate the NPDES Permit.

38-4-36 BASEMENT COVERED. No person shall make connection to the public sewer in cases of new construction or reconstruction of a building in which there exists a basement, unless and until the basement floor is poured and the sub-floor to the ground floor level of the house is completed. **(Ord. No. 610; 11-04-80)**

38-4-37 OWNER'S LIABILITY. The owner shall also assume any future liability for any further repairs, extension, alteration or other changes to be made to the lateral line up to and where it connects with the City sewer line. **(Ord. No. 795; 02-02-88)**

The City, at its sole discretion, may perform any required alterations and/or repairs to the building sewer from the sewer main to the owner's property line when the line lies within City streets, right of way, and/or easements and the owner shall be billed by the City in accordance with the provisions of **Section 38-4-6**. Alterations and/or repairs to the portion of the building sewer within the owner's property shall be performed by the owner or his/her designated representative at the owner's expense subject to inspection by the City in accordance with all applicable regulations contained in **Chapter 38 - Utilities, Article IV - Sewer System**. Should the City, at its sole discretion, decide not to perform the alterations and/or repairs of that portion of the building sewer lying within City controlled streets, right-of-way, or easements, the owner, occupant, or his/her designated representative shall be responsible for the alterations or repairs in accordance with all applicable provisions of the Revised Code of Ordinances of the City of Trenton, Illinois, as amended, and any other applicable laws, rules, regulations or codes. **(Ord. No. 943; 09-06-94)**

38-4-38 - 38-4-39 RESERVED.

DIVISION V - USE OF PUBLIC SEWERS

38-4-40 PERMITTED DISCHARGES. 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.

38-4-41 STORMWATER DISCHARGE PROHIBITED. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm drains, or to natural outlets approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged on approval of the Superintendent to a storm drain or natural outlet.

38-4-42 PROHIBITED WASTE DISCHARGES. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers without an NPDES Permit; all exclusions and discharges allowed shall conform to NPDES Requirements and Federal and State Regulations.

(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 including, but not limited to, cyanides in excess of **two milligrams per liter (2 mg/1)** as CN in the wastes as discharged to the public sewer.

(C) Any waters or wastes having a pH lower than 6.0 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 garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

38-4-43 LIMITED DISCHARGES. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the

receiving stream, or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his opinion as to the acceptability of these waters, the Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The prohibited substances are as follows:

(A) Any liquid or vapor having a temperature higher than **one hundred fifty degrees Fahrenheit (150° F.), sixty-five degrees Celsius (65° C.)**.

(B) Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of **one hundred milligrams per liter (100 mg/l)** or containing substances which may solidify or become viscous at temperatures between **thirty-two degrees and one hundred fifty degrees Fahrenheit (32° F. and 150° F.), zero and sixty-five degrees Celsius (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.

(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 in excess of the following concentrations and similar objectionable or toxic substances or wastes exerting an excessive chlorine requirement to such a degree that any such material received in the composite sewage at the treatment works exceeds the limits established by the Superintendent for such materials.

WASTE OR CHEMICAL	CONCENTRATION mg/l
Boron	1.0
Chromium (Hexavalent)	5.0
Chromium (Trivalent)	10.0
Copper	3.0
Cyanide	2.0
Iron	15.0
Lead	0.1
Nickel	3.0
Oil & Grease, etc. (carbon tetrachloride extraction)	100.0
Zinc	2.0
Cadmium	2.0
Chlorine Demand	30.0
Phenols	0.5

(F) Any waters or wastes containing phenols or other taste- or odor-producing substances in such concentrations exceeding limits which may be established by the Superintendent 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 Superintendent in compliance with applicable State or Federal regulations.

(H) Any waters or wastes having a pH in excess of 10.5.

(I) Materials which exert or cause:

- (1) Unusual concentrations of inert suspended solids (such as, but not limited to, Fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
- (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
- (3) Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
- (4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

38-4-44 BIOCHEMICAL OXYGEN DEMAND. The admission into the public sewers of any waters or wastes having the following shall be subject to the review and approval of the Superintendent:

(A) a **five (5) day** BOD greater than **two hundred parts per million (200 ppm)**, or

(B) containing more than **two hundred fifty parts per million (250 ppm)** by weight of Suspended Solids, or

(C) containing any quantity of substances having the characteristics described in **Section 38-4-43**, or

(D) having an average daily flow greater than **two percent (2%)** of the average daily sewage flow of the City.

The owner shall provide, at his own expense, pretreatment facilities necessary to meet the standards provided in **Chapter 1, Environmental Protection Agency Rules and Regulations, Sub-chapter D, Water Programs Part 128 - Pretreatment Standards, Federal Register Volume 38, No. 215, Thursday, November 8, 1973** and amendments thereto.

Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and of the **Illinois Sanitary Water Board** of the State of Illinois, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

38-4-45 DISCHARGE OPTIONS OF SUPERINTENDENT. 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 38-4-43**, and which, in the judgment of the Superintendent, 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 Superintendent 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 cost of handling and treating the wastes as provided for in this Code establishing rates and charges.

If the Superintendent 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 Superintendent, and subject to the requirements of all applicable codes, ordinances and laws.

38-4-46 GREASE AND OIL INTERCEPTORS REQUIRED. Grease, oil, and sand interceptors shall be provided when 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 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 Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious material 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.

38-4-47 PRELIMINARY TREATMENT. 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.

38-4-48 INDUSTRIAL SAMPLING--CONTROL MANHOLE. 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 shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Superintendent. 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.

38-4-49 TESTING--MEASUREMENTS. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Code shall be determined in accordance with **Federal Register 40 CFR 136 "Guidelines Establishing Test Procedures for Analysis of Pollutants" (Dated October 16, 1973)**, 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 installed, 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, provided the Superintendent shall be permitted to take samples within the premises of the user, including lagoons, ponds, and other places.

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 analysis involved will determine whether a **twenty-four (24) hour** composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and Suspended Solids analyses are obtained from **twenty-four (24) hour** composites of all outfalls, whereas pH's are determined from periodic grab samples.)

38-4-50 SPECIAL CONSIDERATIONS. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefor by the industrial concern.

38-4-51 PROTECTION FROM DAMAGE. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

38-4-52 - 38-4-55 RESERVED.

DIVISION VI - INSPECTIONS

38-4-56 POWERS AND AUTHORITY OF INSPECTORS. The Superintendent and other duly authorized employees of the City 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 Code.

The Superintendent or his 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.

38-4-57 INDEMNITY. While performing the necessary work on properties referred to in **Section 38-4-56** above, the Superintendent or other duly authorized employees of the City shall observe all safety rules applicable to the promises established by the company and the company shall be held harmless for injury or death to such employees. The City shall indemnify the company 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 as required in **Section 38-4-49**.

38-4-58 EASEMENT ACCESS. The Superintendent and other duly authorized employees of the City, bearing proper credentials and identification, shall be permitted to enter all private properties through which the City 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 the easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

38-4-59 RESERVED.

DIVISION VII - LIFT STATIONS

38-4-60 GENERAL REQUIREMENTS.

(A) **Applicability of Design Standards.** The following specifications pertain primarily to sewage lift stations serving residential neighborhoods. The design of stations serving other types of developing areas shall be dealt with on an individual basis depending on the specific needs of the serviced area. The following specifications are minimum standards acceptable to the City. The City reserves the right to require developers to meet additional requirements when conditions exist which require more extensive controls or advances in technology are encountered which make portions of the following obsolete.

(B) **Flooding.** Sewage pumping station structures and electrical and mechanical equipment shall be protected from physical damage by the **One Hundred (100) Year Flood**. Sewage pumping stations should remain fully operational and accessible during the **Twenty-Five (25) Year Flood**. Regulations of State and Federal agencies regarding flood plain obstructions shall be considered.

(C) **Accessibility.** The pumping station shall be readily accessible by maintenance vehicles during all weather conditions. The facility should be located off the traffic way of streets and alleys.

(D) **Grit.** Where it is necessary to pump sewage prior to grit removal, the design of the wet wall and pump station piping shall receive special consideration to avoid operational problems from the accumulation of grit.

(E) **General Station Requirements.** Generally, only grinder pump systems will be allowed. Other designs will be considered depending on the specific nature of the variables encountered. All stations shall have a minimum of **two (2) pumps** and shall be designed such that with any one pump out of service, the remaining pumps shall have the capacity to handle maximum sewage flow. The system shall alternate between pumps during normal pumping cycles. Provisions shall be made for easy removal of pumps and motors for servicing.

38-4-61 DESIGN. Design of sanitary lift stations shall be in accordance with the most current publication of **Illinois Recommended Standards for Sewage Works** and the following specifications. Should there exist a conflict between the following specifications and those contained in the above listed publication, the specifications in the following sections shall take precedence over the **Illinois Recommended Standards for Sewage Works**. If any provisions of the specifications in the following sections is declared invalid by a Court or other jurisdictional authority, that decision shall not affect the validity of the remainder of the specifications contained in this Code.

38-4-62 SIZING.

(A) **Flow Estimate.**

- (1) **New Service Area:** When the station is to serve an area of new development the average daily flow shall be taken as **one hundred (100) gallons** per person per day. Calculations shall be based on **three and one-half (3.5) persons** as an average number of persons per planned dwelling. To determine pumping capacities and storage requirements, peak flows shall be used. A peaking factor of **three (3.0)** shall be used in design calculations.
- (2) **Existing Service Area:** When available, water usage figures shall be used to determine design flows for lift station design. Between **seventy percent (70%)** and **one hundred percent (100%)** of the daily water consumption shall become sewage flow. Station design shall be based on **one hundred percent (100%)** of the daily water consumption figures which should provide allowance for infiltration. To determine pumping capacities and storage requirements peak flows shall be used. A peaking factor of **three (3.0)** shall be used in design calculations. Should the appropriate water usage figures not be available for the developed area to be served, design shall be in accordance with the requirements for a new service area as outlined above.

(B)

Wet Well Design.

- (1) **Retention Time:** The maximum retention time in the wet well shall not exceed **thirty (30) minutes**. The effective capacity of the wet well shall be based on design average flow and a filling time not to exceed **thirty (30) minutes** unless the facility is designed to provide flow equalization. When the anticipated initial flow tributary to the pumping station is less than the ultimate design flow, provisions shall be made for easy adjustment of the switching controls such that the maximum retention time is not exceeded. The switching controls shall be easily adjustable to allow changing as tributary flows increase to the design flow.
- (2) **Reserve Capacity:** The wet well design shall be such that sufficient storage is available between the turn on elevation of the last pump in a multiple pump system and the bottom of the lowest inlet pipe to provide for **two (2) hours** of emergency storage capacity at peak flow rates.
- (3) **Pump Cycles:** Pumps and wet wells shall be designed to provide a minimum of **four (4) minutes** between pump cycles unless a different minimum is specified by the pump manufacturer.

38-4-63 ADDITIONAL REQUIREMENTS.

(A) A high-level alarm system consisting of a warning light, audible alarm and shut off, and a battery backup system in case of power outages shall be included in the station controls. The alarm system shall contain a shut-off switch located inside the control cabinet.

(B) The control cabinet shall include a connection for external power hookup in case of extended power outages.

(C) Gate or plug valves shall be furnished on the discharge side of all pumps and on the suction side of dry well pumps. A check valve is required between the pump and gate or plug valve on the discharge side. Check valves shall not be located on a vertical rise unless they are specifically designed for such usage.

(D) Wet well floors shall normally be sloped one-to-one on the size and type of station design.

38-4-64 GENERAL SUBMITTAL REQUIREMENTS.

(A) All required documentation as listed below must be submitted before station approval will be granted.

(B) If the proposed system is acceptable, approval shall be granted within **ninety (90) days** after submittal of the required documentation.

(C) Final acceptance shall be by majority vote of the City Council at one of their regularly scheduled meetings within the **ninety (90) day** limit with their decision being based on the recommendations of the City Engineer after he has evaluated the proposed lift station design.

(D) Changes proposed after final approval of a system is granted by the City Council shall be subject to the same time frame and requirements as pertain to a newly proposed system.

38-4-65 DOCUMENTATION REQUIRED FOR APPROVAL.

(A) **Two (2) sets** of plan and profile drawings of the station.

(B) **Two (2) sets** of the manufacturer's pump specification sheets.

(C) **One (1) set** of design computations covering the station and force main design.

(D) **Three (3) sets** of schematics showing the proposed sequence of operation of the pumps and the elevations at which the system operates under average and peak flows.

(E) **Four (4) sets** of control panel and pump electrical schematics.

(F) **Four (4) sets** of construction plan and profile sheets showing proposed locations of station, force main, and inlet lines.

(G) Any other applicable information requested by the City Engineer.

38-4-66 MAINTENANCE OF LIFT STATION.

(A) The subdivider/developer shall maintain the lift station and all appurtenances until they have been accepted by and dedicated to the City or other appropriate governmental entity.

(B) Prior to dedication, the subdivider/developer shall post a maintenance bond with the City Clerk in the form approved by the City Attorney. The bond shall be in the amount determined by the City Engineer to be sufficient to guarantee the satisfactory condition of the lift station and appurtenances for a period of **two (2) years** from the date of their acceptance and dedication. In addition to the lift station and appurtenances, the maintenance bond shall cover any problems developing in the existing facilities which can be proven to have been created as a result of the construction and operation of the lift station or appurtenances. If, at any time during the **two (2) year** period, the improvements are found to be defective or problems as described above develop, they shall be repaired, replaced or corrected at the subdivider's/developer's expense. If the subdivider/developer fails or refuses to pay such costs within **ninety (90) days** after demand is made upon him by the City, the City shall use the maintenance bond to make the necessary repairs, replacements or corrections. If the cost of repairs, replacements, or corrections exceeds the bond amount, the subdivider/developer shall be liable for the excess. At the end of the **two (2) year** period, the maintenance bond shall be released.

38-4-67 - 38-4-69 RESERVED.

[Unless Otherwise Noted, This Division #799; 04-05-88]

DIVISION VIII - PENALTIES

38-4-70 **VIOLATION.** Any person found to be violating any provision of this Code, except **Section 38-4-51** shall be served by the Superintendent or other employee or officer of the City 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.

38-4-71 **CONTINUED VIOLATIONS.** Any person who shall continue any violation beyond the time limit provided for in **Section 38-4-70** shall be guilty of a misdemeanor and upon conviction thereof shall be fined in the amount not less than **Fifty Dollars (\$50.00)** nor more than **Five Hundred Dollars (\$500.00)** for each violation. Each day on which any such violation shall continue shall be deemed a separate offense.

38-4-72 **LIABILITY FOR DAMAGES.** Any person violating any of the provisions of this Chapter shall become liable to the City for any expense, loss, or damage occasioned to the City by reason of such violation.

38-4-73 - 38-4-75 **RESERVED.**

DIVISION IX

INDUSTRIAL COST RECOVERY

38-4-76 **COST RECOVERY ESTABLISHED.** An Industrial Cost Recovery System is hereby established for the sanitary sewer treatment works of the City known as the Sewage Treatment Works in accordance with the **Federal Water Pollution Control Act Amendments of 1972 (PL 92-500).**

38-4-77 **DEFINED.** An Industrial User is any non-governmental user of said treatment works identified in the **Standard Industrial Classification Manual, 1972, Office of Management and Budget,** as amended and supplied 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, and Sanitary Services.
- (E) Division I - Services.

A user in the division listed may be excluded from classification as an Industrial User if it is determined by the City Council that such User will introduce only primarily segregated domestic waste or wastes from sanitary conveniences.

38-4-78 **TERM OF RECOVERY PERIOD.** The industrial cost recovery period for the treatment facility shall be the period during which the grant amount for such treatment works is recovered from the industrial users of such works during the estimated period which the treatment works will be operated, known as its "useful life". "Useful life" is the estimated period during which the treatment works will be operated. The useful life of the treatment works is hereby found and determined to be **thirty (30) years.**

38-4-79 **RECOVERY AMOUNTS.**

(A) Each year during the industrial cost recovery period each industrial user of the treatment works shall pay its share of the total grant amount divided by the recovery period.

(B) Payments shall be made by industrial users no less often than annually. The first payment by an industrial user shall be made not later than **one (1) year** after such user begins use of the treatment works.

(C) An industrial user's share shall be based on all factors which significantly influence the cost of the treatment works. Factors such as strength, volume, and delivery flow rate characteristics shall be considered and included to insure a proportional distribution of the grant amount allocable to industrial use to all industrial users of the treatment works. As a minimum, an industry's share shall be based on its flow versus treatment works capacity, except in unusual cases.

(D) If there is a substantial change in the strength, volume or delivery flow rate characteristics introduced into the treatment works by an industrial user, such user's share shall be adjusted accordingly.

(E) If there is an expansion or upgrading of the treatment works, each existing industrial user's share shall be adjusted accordingly.

(F) An industrial user's share shall not include any portion of the grant amount allocable, to unused or unreserved capacity.

(G) An industrial user's share shall include any firm commitment to the City of increased use by such user.

(H) All unallocated treatment works capacity must conform with the requirements of **Section 204(a) (5) of the Federal Water Pollution Control Act** and such cost-effectiveness guidelines as may be promulgated by the **USEPA Administrator** pursuant to **Section 212(2) (c) of the Federal Water Pollution Control Act.**

(I) An industrial user's share shall not include an interest component.

38-4-80 **RETAINED AMOUNTS.**

(A) The City shall retain **fifty percent (50%)** of the amounts recovered from industrial users. The remainder, together with any interest earned thereon shall be returned to the U. S. Treasury on an annual basis.

(B) A minimum of **eighty percent (80%)** of the retained amounts, together with interest earned thereon, shall be used solely for the eligible costs (in accordance with **Section 35.940 of Subchapter E, Part 35 Environmental Protection Agency Rules and Regulations**) of the expansion or reconstruction of treatment works associated with the project and necessary to meet the requirements of the Act. The City shall obtain the written approval of the regional **USEPA Administrator** prior to commitment of the retained amounts for any expansion and reconstruction. The remainder of the retained amounts may be used as the City sees fit.

(C) Pending use, the City shall invest the retained amounts for reconstruction and expansion in:

- (1) Obligations of the U. S. Government, or
- (2) Obligations guaranteed as to principal and interest by the U. S. Government or any agency thereof, or
- (3) Shall deposit such amounts in accounts fully collateralized by Obligations of the U. S. Government or by obligations fully guaranteed as to principal and interest by the U. S. Government or any agency thereof.

38-4-81 **COMPUTATION OF CHARGES.** This Code shall be implemented by a computation of such industrial cost recovery charges to be made to each industrial user at the time of connection by such user to the treatment works.