

Chapter 18

SEWERS AND SEWAGE DISPOSAL

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Section 18.1SEC. Definitions.

For the purposes of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section, unless the context specifically indicates otherwise:

B.O.D. (Abbreviation for "Bio-Chemical Oxygen Demand.") The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees Centigrade, expressed in parts per million by weight.

Building drain. A sanitary sewer extending from any building structure to the Village sewer system.

Combined sewer. A sewer receiving both surface runoff and sewage.

Control manhole or structure. A structure constructed for the purpose of measuring flow and sampling waste.

District. The Downers Grove Sanitary District.

Garbage. The waste from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

Garbage, shredded. The wastes from the preparation, cooking and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under flow conditions normally prevailing in public sewers, with no particle greater than one-quarter inch in dimension.

Industrial waste. Any liquid, gaseous, solid or other waste substance or a combination thereof resulting from any process of industry, manufacturing trade or business or from the development, processing or recovery of any natural resources.

Manager or Village Manager. The Village Manager of the Village of Downers Grove, as from time to time appointed by the Village Council and holding office in accordance with applicable law; provided, that any duty or power conferred on the Village Manager by any provision of this Chapter may be delegated by the Village Manager to the director of public works of the Village or to any other appropriate officer or employee of the Village. Each such delegation shall be made in writing by the Village Manager and shall specifically describe the power or duty so delegated. A copy of such delegation shall be delivered to each of the members of the Village Council and one copy thereof shall be filed with the Village Clerk. Without limitation, the Village Manager may, pursuant to the foregoing provisions, delegate the power to make inspections, to review and approve plans and specifications, to issue permits, to approve construction work and generally to exercise the administrative powers contemplated by the provisions of this Chapter.

Mg/l. Milligrams per liter.

Municipality. The Village of Downers Grove or the County of Du Page, as the case may be.

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Natural outlet. Any outlet into a water course, pond, ditch, lake or other body of surface or ground water.

pH. The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Pollution. Such alteration of the physical, chemical or biological properties of any waters of the service area, or such discharge of any liquid, gaseous or solid substance into any waters in the service area, as will or is likely to create a nuisance or render such waters harmful or detrimental or injurious to public health, safety or welfare.

Private sewage disposal system. Any arrangement of devices and structures used for treating sewage on private property.

Public sewer. A sewer in which all owners of abutting properties within the service area have equal rights and is controlled by the Village.

Sanitary sewage or sewage. Water-carried domestic wastes and wastes discharged from the sanitary convenience of residences, public buildings, institutions and industrial plants (other than industrial wastes from such plants).

Sanitary sewer or sewer. A pipe or conduit which carries sewage and into which storm, surface and ground waters are not intentionally permitted.

Service area. All of the land and territory that is from time to time within the area expressly determined by the Village Council to be reasonably accessible to the Village's sewerage system, whether within or without the corporate limits of the Village, including, without limitation, the following:

(a) Northwest service area, being all the territory depicted on the map thereof attached as Exhibit A to the original copy of Ordinance No. 2600, on file in the office of the Village Clerk; and

(b) South service area, being all of the territory depicted on the map thereof attached as Exhibit A to the original copy of Ordinance No. 1688, on file in the office of the Village Clerk.

Storm drain or storm sewer. A sewer conduit or sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes.

Suspended solids. The 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.

Watercourse. The channel in which a flow of water occurs, either continuously or intermittently. (Ord. No. 1311, §§ 1.1 to 1.27; Ord. No. 1688, § 1; Ord. No. 2600, § 1.)

Section 18.2. Permit required to do work on sewers; surety bond required; liability insurance required; permits not to be issued to persons owing money to Village.

No sewer work of any type involving a public sewer shall be done except in an emergency without first securing a written permit therefor from the Village. Before such permit is issued, an application shall be filed with the Village, signed by the owner of the premises on which the proposed work is to be done or by his/her duly authorized agent, accompanied by such plans, specifications and permit fee as provided for herein. Such application shall indicate the person authorized by the owner of such premises to perform such work, and such permit shall not be issued unless the person indicated to do such work furnishes to the Village a surety bond in the amount of ten thousand dollars or the contract price or estimated cost of the work anticipated to be done, whichever is higher, indemnifying and saving harmless the Village and the district from all accidents and damages caused by negligence or otherwise either in the execution or protection of the work involved, including any damage to any sewer of the Village. In addition, such persons shall furnish to the Village a policy or certificate of insurance, issued by an insurance company approved for such purpose by the Village, insuring such persons for payment of liabilities for property damage and personal injury incurred by such person in connection with any such work anticipated to be done, having limits of liability not less than one hundred thousand dollars for each person and three hundred thousand for each occurrence, and containing an endorsement to the effect that such insurance is not cancelable by the issuer thereof, except upon ten days' prior written notice of such cancellation to the Village. No applicant owing money to the Village for fees required by any provisions of this Code or other ordinances, resolutions or contracts with the Village for work described in such application or for any

previous work performed in the Village shall be granted a permit until such fees have been paid. (Ord. No. 1311, § 5.7.)

(Ord. 4852, Amended, 02/20/2007, his to his/her(s))

Section 18.3. Enforcement of Chapter.

It shall be the duty of the Village Manager to enforce full compliance with the provisions of this Chapter in every particular relating to the sewer connections, construction of building drains and plumbing work and the exclusion of all improper substances from the drains and sewers. (Ord. No. 1311, § 10.1.)

Section 18.4. Village not obligated to provide service; disclaimer of liability.

No provision contained in this Chapter is intended or shall be taken or construed to impose on the Village or any officer, agent or employee thereof any obligation to provide sanitary sewer facilities or sewage treatment service to any particular portion of the service area, and the Village shall not be liable to any owner or occupant of any premises in the service area on account of the Village's inability to render such service by reason of insufficient treatment capacity, insufficient sewerage capacity, directives or orders from the state sanitary water board or any other governmental body having jurisdiction over the Village or the service area, fires, storms, failures of electric or water supply, strikes or other labor disputes, wars, public disorders or any other cause whatsoever. (Ord. No. 1311, § 10.2.)

Section 18.5. Damage to, tampering with, etc., sewers, sewage treatment plant, etc.

No person shall maliciously, wilfully or wantonly break, damage, destroy, uncover, deface or tamper with any of the sewers, appurtenances, equipment, machinery, lift stations or structures of the sewage treatment plant owned and operated by the Village, directly or indirectly. (Ord. No. 1311, § 8.1.)

Section 18.6. Notice to cease violations.

Whenever and wherever within the boundaries of the service area it shall appear that any person is violating any of the provisions of this Chapter, the Village Manager may (but is not required as a condition precedent to prosecution for violation) cause to be served, personally or by mail, upon the alleged offender, a notice in writing stating the date and nature of the alleged offense, and directing that the same cease and desist immediately upon service of the notice, and that the act or omission causing such violation be corrected within thirty days or within such reasonable time as the circumstances may require.

The failure, neglect and refusal of the person alleged to be in such violation to cease and desist therefrom within the time stated in such notice shall be deemed a violation of the provisions of this Chapter, and punishable as such. (Ord. No. 1311, §§ 7.1, 7.2.)

Section 18.7. Penalties; right to discontinue service for violations; suits to recover damages.

(a) Any person convicted of violating any provision of this Chapter shall be punished as provided in Section 1-15.

(b) In the event that the Village determines that owner or occupant of any premises in the service area is in violation of any provision of this Chapter, the Village shall have the right to discontinue sewerage and sewage treatment service to such premises so long as such violation continues. In such case, the Village may, at its discretion, cause the building drain on such premises to be disconnected or plugged. The Village may exercise its right to discontinue sewerage and sewage treatment service pursuant to this subsection, notwithstanding the fact that criminal or quasi-criminal charges under subsection (a) of this section may

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then be pending or may not have been commenced, or may have resulted in a verdict or other determination favorable to the accused; provided, that the Village Manager shall give to the owner and occupant, if any, of such premises at least three days' written notice of the Village's intention to discontinue such service, unless the Village Manager shall find that the continuation of such violation constitutes a substantial, immediate danger to the public sewers or the sewage treatment facilities of the Village or the district, or both, or to the public health or welfare.

(c) Any action taken by the Village under any of the foregoing provisions of this section or any prosecution thereunder shall not be held or construed to be a release or waiver by the Village of any remedy it may have by law to sue for and recover civil damages arising out of any violation of any of the provisions of this Chapter which may cause destruction of or damage to the public sewers, machinery, equipment, buildings or other property of the Village or the district. (Ord. No. 1311, §§ 9.1 to 19.3.)

Section 18.7ART. Article II. Use of Public Sewers

Section 18.8. Deposit of objectionable waste on public or private property prohibited.

It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner, upon public or private property within the Village, any human or animal excrement, garbage or other objectionable waste. (Ord. No. 1311, § 2.1.)

Section 18.9. Discharge of untreated wastes into natural outlets prohibited.

It shall be unlawful to discharge into any natural outlet within the service area any sanitary sewage, industrial wastes or polluted waters, except where suitable treatment has been provided in accordance with the provisions of this Chapter. (Ord. No. 1311, § 2.2.)

Section 18.10. Permit required to uncover sewers, connect with sewers, etc.

No person shall uncover any public sewer in the service area for any purpose or make any connection therewith or uncover any of the connecting branches thereof, or open any manholes or other facilities in the service area except pursuant to a written permit from the Village Manager. (Ord. No. 1311, § 2.3.)

Section 18.11. Storm water, runoff water, etc., not to be drained into sewers.

No person shall discharge or cause to be discharged into the sanitary sewer system in the service area any storm water, surface water, ground water, roof runoff water, subsurface drainage, runoff water from ground or paved areas, cistern overflow or water from air conditioning systems or industrial cooling operations. (Ord. No. 1311, § 2.4.)

Section 18.12. Combined sewers prohibited.

Combined sewers shall not be constructed or permitted to exist in the service area. (Ord. No. 1311, § 2.5.)

Section 18.13. Discharge of swimming pool water into sewers.

No swimming pools shall be discharged into the sanitary sewer system in the service area except

under written agreement with the Village. (Ord. No. 1311, § 2.6.)

Section 18.14. Connection of cesspools, etc., to sewers prohibited.

No person or persons shall connect to any sanitary sewer in the service area any private building cesspool, underground drain, privy, privy vault or any other channel conveying water or filth. (Ord. No. 1311, § 2.7.)

Section 18.15. Discharge of certain substances into sewers prohibited.

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes in any public sewer in the service area:

(a) Any liquid or vapor discharge from an industrial plant having temperature higher than one hundred fifty degrees Fahrenheit.

(b) Any water or waste which may contain more than one hundred parts per million by weights, of fat, oil or grease.

(c) Any gasoline, benzine, naphtha, fuel oil or other flammable or explosive liquids, solids or gas.

(d) Any garbage or vegetable parings that do not qualify as shredded garbage.

(e) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure or other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage treatment plant.

(f) Any waters or wastes having a pH lower than five and five tenths (5.5) or higher than nine (9.0) or having any other corrosive property capable of causing damage or hazard to structure, equipment and personnel of the sewage treatment plant.

(g) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process constituting a hazard to humans or animals, or creating any hazard in the receiving waters of the sewage treatment plant.

(h) Any waters or wastes containing suspended solids of such character in quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

(i) Any noxious or malodorous gas or substance capable of creating a public nuisance.

(j) Any waters or wastes containing strong acid, pickling wastes or concentrated plating solutions, whether neutralized or not, or any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment plant exceeds the limits of acceptability for such wastes established by the Village Manager for such materials.

(k) Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Village Manager and to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters.

(l) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Village Manager in compliance with applicable state or federal regulations.

(m) Materials which exert or cause:

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

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

(3) Excessive B.O.D., chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works. (Ord. No. 1311, § 2.8.)

Section 18.16. Discharge of cyanide, cyanogen compounds and industrial wastes bearing metallic ions.

(a) Any person engaged in any manufacture or process, including deactivation or processes, in which cyanide or cyanogen compounds are used, shall have each room where such compounds are stored or used so constructed that none of such compounds can escape therefrom by means of any building sewer or drain or otherwise enter, either directly or indirectly, any sanitary sewer or storm sewer, except as specifically permitted in this section.

(b) Any person wishing to engage in any operation which may discharge cyanide or cyanogen compound bearing wastes to a sewer in the service area shall submit detailed plans of the waste collection system, and where necessary of a pretreatment system, to the Village Manager for his/her approval. Subsequent to receiving the approval of the Village Manager and to the issuance of a permit to the Village for such particular operation by the state sanitary water board, certain diluted wastes may be discharged to the sanitary sewer providing the cyanide and cyanogen compound in the waste does not at any time exceed a concentration of 2.0 milligrams per liter. The maximum rate at which such wastes may be discharged to the sewer shall be fixed by a specific agreement between the district, the Village and each such person.

(c) Industrial wastes bearing metallic ions proposed to be discharged into a sewer in the service area shall be controlled as follows:

(1) When the maximum rate of flow of such wastes is less than fifty gallons per minute, the maximum concentration of metallic ions which may be present at any time is:

Cadmium 5.0 mg/1.	Copper 5.0 mg/1.
Chromium 5.0 mg/1.	Zinc 5.0 mg/1.

(2) When the maximum rate of flow of such wastes is more than fifty but less than one hundred gallons per minute, the maximum concentration of metallic ions which may be present at any time is:

Cadmium 2.5 mg/1	Copper 2.5 mg/1.
Chromium 2.5 mg/1.	Zinc 2.5 mg/1.

(3) When the maximum rate of flow of such wastes will exceed one hundred gallons per minute, the maximum concentration of metallic ions which may be present at any time shall be established by the Village Manager for each specific case but he shall not permit concentrations higher than those shown in paragraph (2) above. (Ord. No. 1311, § 2.9.)

(Ord. 4852, Amended, 02/20/2007, his to his/her(s))

Section 18.17. Authority of Village Manager to reject, regulate, etc., certain wastes.

(a) If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters and wastes contain the substances or possess the characteristics enumerated in Sections 18-13, 18-14, 18-15 or 18-16, and which, in the judgment of the Village Manager, 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 Village Manager may:

- (1) Reject the wastes, or
- (2) Require pretreatment to an acceptable condition for discharge to the public sewers, or
- (3) Require control over quantities and rate of discharge, or
- (4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under other provisions of this chapter, or
- (5) Require any combination of the foregoing requirements.

(b) If the Village Manager permits the pretreatment or equalization of waste flows, the design and installation of such facilities shall be subject to the review and approval of the Village and the district and subject to the requirements of all applicable codes, ordinances and laws. No such wastes or waters shall be permitted to be discharged into the public sewers of the Village until the plans and designs for such

pretreatment facilities have been approved by the Village and the district. (Ord. No. 1311, § 5.8.)

Section 18.18. Grease, oil and sand interceptors--When required.

(a) Grease, oil and sand interceptors shall be provided when, in the opinion of the Village Manager, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except, that such interceptors shall not be required for private living quarters or dwelling units other than hotels and apartment buildings. All interceptors shall be of a type and capacity approved by the Village Manager, and shall be located as to be readily and easily accessible for cleaning and inspection.

(b) Grease separators shall be required in all buildings or sewers servicing meat packing plants, hotels, restaurants and other institutions in which large numbers of meals are served.

(c) Grit interceptors of a design approved by the Village Manager shall be required in all building sewers servicing garages, filling stations, automobile laundries or other establishments determined by the Village Manager to involve excessive grit.

(d) Maintenance and operation of both grease separators and grit interceptors shall be performed in a manner satisfactory to the Village. (Ord. No. 1311, § 2.10.)

Section 18.19. Same--To be maintained by owner.

Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his/her sole expense, and in a continuously efficient operation, at all times. (Ord. No. 1311, § 2.11.)
(Ord. 4852, Amended, 02/20/2007, his to his/her(s))

Section 18.20. Preliminary treatment may be required for certain wastes.

The admission into sanitary sewers in the service area of any wastes or waters having:

- (a) A five day B.O.D. greater than three hundred parts per million, by weight, or
- (b) Containing more than three hundred fifty parts per million, by weight, of suspended solids, or
- (c) Containing any quantity of substances having the characteristics described in Section 18-15, or
- (d) Having an average daily flow greater than two per cent of the average daily flow of the district,

shall be subject to review and approval of the Village Manager. Where necessary, in the opinion of the Village Manager, the owner shall provide, at his/her expense, such preliminary treatment as may be required to:

- (1) Reduce the B.O.D. to three hundred parts per million and the suspended solids to three hundred fifty parts per million by weight, or
 - (2) Reduce objectionable characteristics and constituents to within the maximum limits provided in Section 18-15, or
 - (3) Control the quantities and rates of discharge of such waters or wastes. (Ord. No. 1311, § 2.12.)
- (Ord. 4852, Amended, 02/20/2007, his to his/her(s))

Section 18.21. Special agreements or arrangements for handling industrial wastes of unusual strength.

No provision of this Chapter shall be construed as preventing any special agreement or arrangement between the Village and any person whereby any industrial waste of unusual strength or character may be accepted by the Village, subject to:

- (a) Payment therefor by the person as prescribed by the Village, and
- (b) Approval by the district. (Ord. No. 1311, § 2.18.)

Section 18.22. Sumps and sump pits.

Sump pits shall be precast concrete with bottoms cast and wire mesh reinforcing projecting upward and so arranged as to be poured into the top ring when it is cast. Alternately, both may be cast with reinforcing at the same time, with a short section of cast iron pipe cast in the side so drain connections are made to this instead of breaking the precast sump. Sump may be cast iron. All ejector pits shall be cast iron. All connections made to all sumps shall be cast iron pipe. Underfloor drains leading into all sumps shall also be cast iron pipe. (Ord. No. 1311, § 2.19.)

Section 18.23. Control manhole may be required for industrial wastes.

When required by the Village Manager, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure for flow measurement and sampling, together with necessary meters and other appurtenances to facilitate observation, sampling and measurement of the wastes. Such manhole or structure, known as a control manhole or structure, shall be accessible to Village and district personnel and shall be constructed and located in accordance with plans approved by the Village. The control manhole or structure shall be installed by the owner at his/her expense and shall be maintained by him so as to be safe and accessible to authorized personnel of the Village and district at all times. (Ord. No. 1311, § 5.6.)

(Ord. 4852, Amended, 02/20/2007, his to his/her(s))

Section 18.24. Standards for measurements, tests, etc.; location for testing when control manhole not provided.

All measurements, tests and analyses of the characteristics of water and waste to which reference is made in this Chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole or structure provided, or upon suitable samples taken at such control manhole or structure. The Village reserves the right to use any modification of the procedures outlined in standard methods which it believes best suited in any particular case. In the event that no special manhole or structure has been required, the control manhole or structure shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of industrial waste upon the sewage and to determine the existence of hazards to the treatment process, equipment, life, limb and property. (Ord. No. 1311, § 5.9.)

Section 18.24ART. Article III. Private Sewage Disposal

Section 18.25. When permitted.

Where a public sanitary sewer is not available, as provided for in Section 18-34, the building sewer shall be connected to a private sewage disposal system complying with the applicable requirements of the Village and the county. (Ord. No. 1311, § 3.1.)

Section 18.26. Maintenance by owner.

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Village. (Ord. No. 1311, § 3.2.)

Section 18.27. Privies, privy vaults and cesspools prohibited.

The use or construction of privies, privy vaults and cesspools are prohibited. (Ord. No. 1311, § 3.3.)

Section 18.28. Additional requirements by state, county and district.

Nothing contained in this chapter shall be construed to limit or interfere with any additional or different requirements that may be imposed by the state sanitary water board, the state department of public health, the county health department or the district controlling the construction, use or maintenance of private sewage disposal systems. (Ord. No. 1311, § 3.4.)

Section 18.28ART. Article IV. Construction of Public Sewers

Section 18.29. Approval of plans.

Each sanitary sewer which is designed and is intended to be constructed to constitute a part of the system of sanitary sewers within the service area, as such boundaries are now defined and limited or as may hereafter be defined and limited, to be controlled, operated and maintained by the Village, directly or indirectly, shall not be constructed until and unless five complete sets of plans and specifications, prepared with competent engineering assistance, have been submitted to and approved by the Village Manager and countersigned by the manager of the district. (Ord. No. 1311, § 4.1.)

Section 18.30. Compliance with Village and district specifications.

No person shall construct or cause to be constructed any sewer or appurtenance that is to become a part of the sewer system of the Village which is not constructed pursuant to the published specifications of the village and the district in effect at the time such construction is commenced. (Ord. No. 1311, § 4.2.)

Section 18.31. Permit required; inspection of work.

No person shall construct or cause to be constructed any sewer or appurtenance which is to become a part of the sewer system of the Village except under a written permit for the work issued by the Village Manager and countersigned by the district manager. Such permit will only be issued when the Village Manager has been furnished with necessary information that a full-time inspector acceptable to the Village Manager and to the district will inspect the entire sewer construction project, or that the person constructing or causing to have constructed such sewer or appurtenance has agreed in writing to reimburse the Village or the district for the payment of an inspector furnished for such project by the Village or by the district. (Ord. No. 1311, § 4.3.)

Section 18.32. Sewers become property of Village upon completion of work.

All sanitary sewers constructed to become a part of the system of the system of sanitary sewers of the Village shall, upon completion of construction and approval by the Village and the district, become the property of the Village. (Ord. No. 1311, § 4.4.)

Section 18.33. Plans to be filed prior to acceptance.

Following the completion of construction of any sanitary sewer pursuant to the provisions of this Chapter, the person constructing or causing to be constructed such sewer shall cause one reproducible set and one file set of completed "as built" plans to be prepared with competent engineering assistance and submitted to the Village and the district before acceptance will be made of such sanitary sewers. (Ord. No. 1311, § 4.5.)

Section 18.33ART. Article V. Sewer Connections

Section 18.34. When required.

(a) The owner or builder of any new house, building or structure to be used for human occupancy, employment, recreation or other purpose, hereafter constructed on any property within the service area, where any point of such property is located within two hundred fifty feet of a public sanitary sewer, shall be required, at his/her own expense to construct suitable toilet facilities thereon and to connect such facilities thereon directly with such sanitary sewer in accordance with the provisions of this Chapter.

(b) The owner of any house, building, structure or property presently existing within the service area and used for human occupancy, employment, recreation and other purposes, where any point of the property on which such house, building or structure is located is within two hundred fifty feet of any public sanitary sewer, and the present sewage facilities for such house, building or structure are now or hereafter deemed defective, insufficient and ineffective by the Village Manager or by any other proper officer of the Village or the county, shall be required, at his/her own expense, to connect the toilet facilities therein to the public sanitary sewer of the Village in accordance with the provisions of this Chapter. (Ord. No. 1311, §§ 2.13, 2.14.)

(Ord. 4852, Amended, 02/20/2007, his to his/her(s))

Section 18.35. Notice to connect.

Whenever the Village Manager or a duly authorized officer of the county shall deem it advisable to require any owner of any property within the service area to connect his/her toilet facilities to a public sanitary sewer as hereinabove provided, a notice of such direction shall be mailed to the last known address of the owner, tenant or occupant of such property, ordering the connection of the toilet facility of such house, building or structure to the public sanitary sewer of the Village within ninety days after date of such notice. (Ord. No. 1311, § 2.15.)

(Ord. 4852, Amended, 02/20/2007, his to his/her(s))

Section 18.36. Failure to make connection after notice.

The failure of any owner, tenant, occupant or builder to install such toilet facilities or to connect such toilet facilities to the public sanitary sewer of the Village within the specified period in such notice shall be deemed, held and construed to be a violation of this Chapter. (Ord. No. 1311, § 2.16.)

Section 18.37. Permit required for connection; permit fee.

No person shall make or cause to be made any connection with a sanitary sewer in the service area except under a written permit for the work, issued by the Village Manager and countersigned by the manager of the district and upon payment of a fee as set forth herein:

- (a) For residential buildings consisting of one dwelling unit \$225.00

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(b) For residential buildings consisting of more than one dwelling unit:

- (1) Initial dwelling unit \$225.00
- (2) Additional dwelling units, each \$100.00

Note: Buildings in this category are commonly referred to as two-flats, duplexes, town houses, row houses, and apartment buildings (rental, cooperative and condominium), hotels, motels, etc.

(c) For commercial structures (other than multiple dwellings, industrial and manufacturing structures) and combination commercial and residential structures:

- (1) Initial sewer connection \$250.00
- (2) Additional sewer connections, each \$ 25.00

Note: For the purpose of paragraph (2) above, each floor drain, wash basin, toilet, sink, or other connection through which wastes may pass into the sewers of the Village shall be considered a sewer connection.

(3) The residential portion of a combination commercial and residential structure shall be subject to permit fees as set forth in subsection (b) of this section.

(d) For industrial or manufacturing property, an amount based upon the number of square feet of floor area, as determined from a complete set of plans and specifications to be supplied to the village by the person seeking such connection permit in the same manner and form as the plans and specifications used to obtain a building permit from the Village or county, as follows:

- (1) Less than 25,000 square feet \$ 500.00
- (2) 25,000 square feet or more, but less than 50,000 square feet \$ 750.00
- (3) 50,000 square feet or more, but less than 75,000 square feet \$1,000.00
- (4) 75,000 square feet or more, but less than 100,000 square feet \$1,500.00
- (5) 100,000 square feet or more, but less than 150,000 square feet \$2,000.00
- (6) 150,000 square feet or more, but less than 200,000 square feet \$2,500.00
- (7) 200,000 square feet or more \$3,000.00

(e) Whenever any residence, multiple dwelling, commercial or industrial property is rebuilt in kind, expanded or its use changed or added to, a permit shall be obtained and a fee shall be paid by the person making or causing to be made such additional use, in accordance with the provisions of this section; except, that if a single-family residence is converted into a multiple dwelling, or a multiple dwelling is converted into commercial or industrial use, or commercial property is converted into industrial use, a credit will be allowed to the person making or causing to be made such change in use, in the amount of the permit fee hereinabove required for the previous use. However, no charge will be made for a permit to rebuild in kind.

(f) Elementary and secondary public and parochial schools and churches, \$25.00 for each unit or building. (Ord. No. 1311, § 2.17.)

Section 18.38. Who may do work.

No person or persons shall cause any connection of a building drain to a public sewer unless made by a person who is a competent sewer builder duly authorized to do such work by the Village Manager and tested and approved by the Village or the district prior to such connection. (Ord. No. 1311, § 5.1.)

Section 18.39. Drains larger than six inches may be required.

The Village Manager may require building drains and connections of greater size than six inches in interior diameter where deemed best for the Village and the use contemplated. (Ord. No. 1311, § 5.2.)

Section 18.40. Excavations, laying of pipe, etc., near public sewers.

No person shall hereafter lay any pipe or conduit or excavate in any street, alley, easement or other public right of way within five feet of either side of the public sewer in such street, alley, easement or public right of way without the permission of the Village Manager. (Ord. No. 1311, § 5.3.)

Section 18.41. Permit required to connect more than one building through one drain.

No more than one building shall be connected with the public sewer through one drain without a permit signed by the Village Manager. (Ord. No. 1311, § 5.4.)

Section 18.42. Notice to Village Manager required prior to beginning work.

Notice must be left at the office of the Village Manager at least twenty-four hours prior to the beginning of any work upon a building drain, and no materials shall be used or work covered until it is inspected and approved by the Village Manager and the manager of the district. (Ord. No. 1311, § 5.5.)

Section 18.43. Connections where no junction piece provided.

In any case where it is necessary to make a connection to the public sewer at points other than those provided with junction pieces, connection shall be made by removing a section of the sewer and substituting a proper branch in its place or by making a machine tap, which must be approved by the Village Manager. Such work shall only be done under the direct supervision of the Village Manager. (Ord. No. 1311, § 5.10.)

Section 18.43ART. Article VI. Sewerage and Treatment Charges

Section 18.44. Rates established; billing procedure.

Subject to the provisions of Section 18-45, the owner and occupant, if any, of any premises containing any building, structure or other improvement having a building drain that is connected to a public sewer in any portion of the service area shall be jointly and severally liable for payment of sewerage and sewage treatment charges. Such charges shall be computed at the applicable rate hereinafter provided and shall be applied to water furnished by the Village to such building, structure or improvement during the period for which such charges are computed. Such charges shall be determined on the basis of regular periodic water meter readings made by the Village for the purpose of computing water charges, and shall be determined in accordance with the following table:

Portion of service area	Rate for each one hundred cubic feet, or major fraction thereof, of water furnished by the Village
Northwest service area	\$1.35

Each parcel of land in the south service area for which the Downers Grove Sanitary District has not collected a downstream improvement charge (sometimes referred to as an annexation fee) in accordance with the ordinances and customary practices of such sanitary district \$1.35.

The Village may, in its discretion, compute and bill such charges monthly, bimonthly, quarterly,

semiannually, annually or at such other intervals as the Village may determine to be appropriate in the circumstances. In its discretion, the Village may bill such persons for sewerage and sewage treatment charges concurrently with any billing for water furnished to such premises.

The Village may, in its discretion, provide by resolution, for the termination of such charges for each parcel of land in the service area upon a determination of the amount of such charges attributable to that parcel of property, or which would have been attributable had such charge been collected, and upon final payment of such charges as determined. (Ord. No. 1311, § 6.1; Ord. No. 1688, § 2; Ord. No. 1822, § 1; Ord. No. 2014, § 1; Ord. No. 2401, § 1; Ord. No. 2600, § 2.)

(3497, Amended, 08/03/1992)

Section 18.45. Agreement as to charges when water not obtained from Village or amount of sewage effluent is disproportionate to water usage.

In the event that any premises in the service area obtains a water supply in whole or in part from any source other than the Village, or in the event that the Village shall determine that the amount of sanitary sewage effluent from such premises is substantially disproportionate to the water usage thereon (in relation to average water and sewage volumes in the service area considered as a whole) then the Village may, upon sixty days written notice to the owner and occupant, if any, thereof cause the building drain from such parcel of land to be plugged or disconnected from the public sewer unless within such sixty-day period the owner or occupant of such parcel of land shall enter into a written agreement, in form and substance satisfactory to the Village, providing for payment of a sewage treatment charge determined by the Village Manager to be fair and substantially proportionate to similar charges made against other premises in the service area for similar services. (Ord. No. 1311, § 6.2.)

Section 18.46. Charges constitute lien on property; when bills due; interest on unpaid bills; discontinuance of service for failure to pay bills.

Any charges payable by the owner or occupant of premises in the service area under Section 18-44 or Section 18-45 for sewerage or sewage treatment services rendered to such premises shall be a lien against such premises from and after the date when due, and may be perfected and enforced against such owner and occupant and against subsequent purchasers, mortgagees and other transferees of such property in the same manner as mechanics' or materialmen's liens or as otherwise provided by applicable law. All charges under Section 18-44 or Section 18-45 shall be due and payable within thirty days after issuance of the bill therefor. In the event that any such bill is not paid within such thirty-day period, interest shall accrue thereon at the rate of one percent per month from the due date thereof until paid in full. In the event that any such payment is not made within sixty days after the due date thereof, the Village may, at its option, discontinue sewerage and sewage treatment service to such premises and cause the building drain thereon to be plugged or disconnected until payment has been made in full of all amounts due, with interest as hereinabove specified. (Ord. No. 1311, § 6.3.)

Section 18.1000NOTE. Notes to Chapter 18.

The waterworks and sewerage systems of the village have been declared a combined system. See §§ 2-95 to 2-97 of this Code. As to waterworks system, see ch. 25.

As to buildings, see ch. 7 of this Code. As to electricity, see ch. 10. As to plumbing, see ch. 16. As to sanitary sewage requirements in subdivisions, see § 20-10.