

Ordinance No. 2020-38

**AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS,
AMENDING TITLE 7 OF CHAPTER 6 OF THE YORKVILLE CITY CODE**

WHEREAS, the United City of Yorkville, Kendall County, Illinois (the “*City*”) is a duly organized and validly existing non-home rule municipality of the State of Illinois pursuant to the 1970 Illinois Constitution and the laws of the State; and,

WHEREAS, it is the responsibility of the City to provide for the administration and maintenance of the City’s sewer use and thereby preserving the health and welfare of its residents, visitors and businesses; and,

WHEREAS, in furtherance thereof, it is in the best interest of the City to amend the Yorkville City Code to update its City Code to include the current standard for the installation, use and maintenance of the City’s sewer system as hereinafter set forth.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, that the Yorkville City Code is hereby amended by deleting Sections 7-6-1 through 7-6-9 of Article 7, Chapter 6 in its entirety and replacing it with the following new Chapter 6 to Title 7, as set forth on *Exhibit A* attached hereto.

This Ordinance shall be in full force and effect immediately from and after its passage and approval according to law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this 28th day of July, 2020.

KEN KOCH	<u>AYE</u>	DAN TRANSIER	<u>AYE</u>
JACKIE MILSCHEWSKI	<u>AYE</u>	ARDEN JOE PLOCHER	<u>AYE</u>
CHRIS FUNKHOUSER	<u>AYE</u>	JOEL FRIEDERS	<u>ABSENT</u>
SEAVER TARULIS	<u>AYE</u>	JASON PETERSON	<u>AYE</u>

Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this
2nd day of August, 2020.

Mayor

Attest:

City Clerk

Exhibit A

7-6-1: RULES AND DEFINITIONS:

Except as otherwise provided herein, the Director of Public Works shall administer, implement, and enforce the provisions of this chapter. Any powers granted to or duties imposed upon the Director of Public Works may be delegated by the Director of Public Works to other City personnel.

FEDERAL GOVERNMENT:

Administrator: The administrator of the U.S. environmental protection agency.

Federal Act: The federal clean water act (33 USC 466 et seq.) as amended. (Pub. L. 95-217)

Federal Grant: The U.S. government's participation in the financing of the construction of treatment works as provided for by title II - grants for construction of treatment works of the act and implementing regulations.

LOCAL GOVERNMENT:

City: The United City Of Yorkville.

Sanitary District: The Yorkville-Bristol Sanitary District ("YBSD"). All properties annexed within YBSD boundaries are subject to the YBSD Main Ordinance, Fats, Oil and Grease (FOG) Ordinance, and other YBSD documents, as found at www.YBSD.org, and these documents will supersede all conflicting statements and requirements herein.

NPDES PERMIT: Any permit or equivalent document or requirements issued by the administrator or, where appropriated by the director, after enactment of the federal clean water act to regulate the discharge of pollutants pursuant to section 402 of the federal act.

PERSON: Any and all persons, natural or artificial including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity.

STATE GOVERNMENT:

Director: The director of the Illinois environmental protection agency.

State Act: The Illinois antipollution bond act of 1970.

State Grant: The state of Illinois' participation in the financing of the construction of treatment works as provided for by the Illinois antipollution bond act and for making such grants as filed with the secretary of state of the state of Illinois.

TREATMENT:

Pretreatment: The treatment of wastewaters from sources before introduction into the wastewater treatment works.

Wastewater Treatment Works: An arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "pollution control plant".

TYPES OF CHARGES:

Debt Service Charge: The amount to be paid each billing period for payment of interest, principal and coverage of loans outstanding.

User Charge: A charge levied on all users of the Yorkville sanitary sewer system as outlined in Section [7-6-6](#) of this Chapter for the cost of operation, maintenance and replacement.

USER TYPES:

User types shall include the following:

- A. Commercial users identified in Table 10.06.03 Business Uses in Section 10-6-0 of the City of Yorkville's Zoning Ordinance.

Chapter 12, article A	O, office district
Chapter 12, article B	B-1, local business district
Chapter 12, article C	B-2, retail commerce business district
Chapter 12, article D	B-3, general business district
Chapter 12, article E	B-4, service business district

B. Institutional/governmental users identified in Table 10.06.02 Institutional Uses in Section 10-6-0 of the City of Yorkville's Zoning Ordinance.

C. Residential users identified in Table 10.0601 Residential Uses in Section 10-6-0 of the City of Yorkville's Zoning Ordinance..

Chapter 11, article A	E-1, estate district
Chapter 11, article B	R-1, single-family suburban residence district
Chapter 11, article C	R-2, single-family traditional residence district
Chapter 11, article D	R-2D, duplex, two-family attached residence district
Chapter 11, article E	R-3, multi-family attached residence district
Chapter 11, article F	R-4, general multi-family residence district

D. Industrial users:

Chapter 13, article A	M-1, limited manufacturing district
Chapter 13, article B	M-2, general manufacturing district

WASTEWATER AND ITS CHARACTERISTICS:

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

Building Drain: That part of the lowest 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 or other approved point of discharge, beginning five feet (5') (1.5 m) outside the inner face of the building walls.

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

Combined Sewer: A sewer which is designed and intended to receive wastewater, storm, surface and ground water drainage.

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

Easement: An acquired legal right for the specific use of land owned by others.

Effluent Criteria: Are defined in any applicable NPDES permit.

Floatable Oil: Oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. Wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

Garbage: Solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of food.

Industrial Waste: Any solid, liquid or gaseous substance discharged, permitted to flow or escaping from any industrial, manufacturing, commercial or business establishment or process or from the development, recovery or processing of any natural resource as distinct from sanitary sewage.

Major Contributing Industry: An industrial user of the publicly owned treatment works that: a) has a flow of twenty-five thousand (25,000) gallons or more per average workday; b) has a an organic loading flow greater than ten percent (10%) of an organic loading 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 Federal Act; d) is found by the permit issuant authority, in connection with the issuance of the NPDES permit to the publicly owned treatment works receiving the waste, to have significant impact, either singly or in combination with other contributing industries, on that treatment works or upon the quality of effluent from that treatment works.

Milligrams Per Liter: A unit of the concentration of water or wastewater constituent. It is 0.001 g of the constituent in one thousand milliliters (1,000 ml) of water. It has replaced the unit formerly used commonly, parts per million, to which it is approximately equivalent, in reporting the results of water and wastewater analysis.

Outlet: Each floor drain, washbasin, wash fountain, toilet, urinal, shower, air-conditioner drain, water cooler, dentist tray drain or other similar plumbing fixture and any orifice of any machine, vessel tank of any kind, manifolded or simply, through which waste may flow into a sewer; the flow of which

ultimately is processed by Water Pollution Control of the Yorkville-Bristol Sanitary District.

ppm: Parts per million by weight.

pH: The logarithm (base 10) of the reciprocal of the hydrogen-ion concentration expressed by one of the procedures outlined in the IEPA Division of Laboratories Manual of Laboratory Methods.

Population Equivalent: A term used to evaluate the impact of industrial or other wastes on a treatment works or stream. One population equivalent is one hundred (100) gallons of sewage per day, containing seventeen one-hundredths (0.17) pounds of BOD and twenty one-hundredths (0.20) pounds of suspended solids.

Properly Shredded Garbage: The wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch ($1/2$ ") (1.27 cm) in any dimension.

Public Sewer: A sewer provided by or subject to the jurisdiction of the City. It shall also include sewers within or outside the City boundaries that serve one or more persons and ultimately discharge into the City sanitary sewer system, even though those sewers may not have been constructed with City funds.

Sanitary Sewer: A sewer that conveys sewage or industrial wastes or a combination of both and into which storm, surface and ground waters or polluted industrial wastes are not intentionally admitted.

Sewage: Is used interchangeably with "wastewater".

Sewer: A pipe or conduit for conveying sewage or any other waste liquids, including storm, surface and ground water drainage.

Sewerage: The system of sewers and appurtenances for the collection, transportation and pumping of sewage.

Slug: 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 or flows during normal operation.

Storm Sewer: A sewer that carries storm, surface and ground water drainage but excludes sewage and industrial wastes other than unpolluted cooling water.

Storm Water Runoff: That portion of the precipitation that is drained into the sewers.

Suspended Solids (SS): Solids that either float on the surface of or are in suspension in water, sewage or industrial waste and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in the IEPA

Division of Laboratories Manual of Laboratory Methods.

Toilet: A bathroom, restroom or other facility having no more than three (3) outlets as defined herein.

Unpolluted Water: Water quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

Wastewater: The spent water of a community. From this standpoint of course, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with any ground water, surface water and storm water that may be present.

Water Quality Standards: Are defined in the Water Pollution Regulations of Illinois.

WASTEWATER FACILITIES: The structures, equipment and processes required to collect, carry away and treat domestic and industrial wastes and transport effluent to a watercourse.

WATERCOURSE AND CONNECTIONS:

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

Watercourse: A channel in which a flow of water occurs, either continuously or intermittently. (Ord. 1992-6, 4-23-1992; amd. Ord. 1996-11, 9-12-1996, eff. 11-1-1996)

7-6-2: USE OF PUBLIC SEWERS REQUIRED:

- A. It shall be unlawful to discharge to any natural outlet within the City or in any area under the jurisdiction of said City, any sewage or other polluted water, except where suitable treatment has been provided in accordance with subsequent provisions of this Chapter.
- B. 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.
- C. The owner of each house, building or property used for human occupancy, employment, recreation or other purpose which is situated within the City or is within one and one-half (1 1/2)

miles of the corporate limits of Yorkville and abutting on any street, alley or right of way in which there is now located or may in the future be located any public sanitary sewer of the City, is hereby required at his/her expense to install suitable sanitary facilities therein, and to connect such facilities directly to the Yorkville sanitary sewer system in accordance with the provisions of this Chapter, within ninety (90) days after date of official notice to do so, provided that said public sewer is within two hundred fifty feet (250') of the property line, for single-family homes and zoning lots. Proposed multi-family zoning lots, residential subdivisions and commercial or industrial zoning lots within one and one-half (1^{1/2}) miles of the corporate limits of Yorkville shall be connected to the Yorkville sanitary sewer system at the owner's expense if the property is within two hundred fifty feet (250') of said public sanitary sewer for each proposed lot or for each proposed family unit in the case of multi-family zoning lots. (Example: A 10 lot subdivision is required to be connected to sanitary sewer facilities if it is within 2,500 feet of existing sewer facilities.) (Ord. 1992-6, 4-23-1992)

7-6-3: PRIVATE SEWAGE DISPOSAL, Regulations and Adoption of Code:

- A. Adoption of Code. There is adopted by the City Council those certain codes, which are now on file in the Office of the Clerk of the City, which are known as the Illinois State Plumbing Code and the Private Sewage Disposal Licensing Act, the same being hereby adopted and incorporated as fully as if set out at length herein.
- B. Where a public sanitary sewer is not available under the provisions of this Chapter, the building sanitary sewer shall be connected to a private sewage disposal system complying with the provisions of the section.
- C. Permit and Fee. No construction shall be permitted for any private sewage disposal system or for any building to be served by a private sewage disposal system, within the City limits, unless a permit for private sewage disposal system has first been obtained from Kendall County Health Department. In addition, no permit will be issued unless the construction is to be done by an Illinois Department of Public Health licensed private sewage disposal system contractor. All percolation tests and private sewage disposal system plans shall be completed in conformance with Kendall County regulations, based on location of property and shall conform to City ordinances. No criteria shall be less stringent than the criteria of the Illinois State Plumbing Code, 225 ILCS 320/1 and the Private Sewage Disposal Licensing Act, 225 ILCS 225/1. Percolation tests shall be conducted and evaluated under the supervision of a registered professional engineer licensed to practice in Illinois.
- D. Inspections and Cleaning. All private sewage disposal systems installed and operated within the City limits may be subject to inspection by the City, to determine if the system is functioning properly and which determination shall include, but not be limited to, a finding concerning the following:
 - 1. Contaminated surface or ground water;
 - 2. Odorant production;
 - 3. Depth of sludge in the septic tank;
 - 4. Clogged seepage field;

5. Improper draining of the plumbing fixtures as a result of clogged septic tank and/or seepage field;
6. Contaminated footing drain sump water.

If, after inspection, it is determined that the private sewage system is not functioning properly, the owner and/or occupant shall be notified in writing to have the necessary work performed to correct the malfunction. If modifications to the system are required and are allowable, pursuant to the Illinois State Plumbing Code and the Private Sewage Disposal Licensing Act and Code, both as modified herein, said modifications shall be done by a licensed private sewage disposal contractor. The owner and/or occupant shall be given a reasonable amount of time. It is the responsibility of the property owner and occupant to have the septic tank cleaned no less than once every five years. The City may require the property owner to submit a copy of the paid bill for such cleaning and services rendered by a licensed private sewage disposal contractor. The City may maintain a file system to inform property owners and occupants of the necessity for cleaning the septic tank.

- E. In the event the malfunction cannot be corrected by cleaning and the property is within two hundred fifty (250) feet of an accessible public sewer system, the private system shall be disconnected and connection made to the public sewer system.
- F. Connection To Public Sewer:
 1. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in subsection [7-6-2D](#) of this Chapter and upon failure of that septic system as determined by the Public Works Director or designee, a direct connection shall be made to the public sewer in compliance with this Chapter within ninety (90) days. Any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.
 2. When a private sewage disposal system is abandoned within the Yorkville corporate limits, it shall be abandoned with the rules and regulations of the Kendall County Health Department.
- G. Responsibility Of Owner: The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times and at no expense to the City.
- H. Provisions Nonlimiting: No statement contained in this Section shall be construed to interfere with any additional requirements that may be imposed by the County Health Department. (Ord. 1992-6, 4-23-1992)

7-6-4: SEWER ENGINEERING, INSTALLATION AND CONNECTIONS³

All sanitary and storm sewer systems shall be engineered and installed in accordance with the Subdivision Control Ordinance Standards and Specifications, respectively, of the United City of Yorkville Municipal Code.

A. Permit Requirements; Fee:

1. Permit Required: No unauthorized 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 City.
2. Classification Of Permits:

a. There shall be two (2) classes of building sewer permits:

- 1) Residential wastewater service, and
- 2) Commercial, institutional/governmental or industrial wastewater service as outlined in the classification definitions in Section 10-6-0 of the City of Yorkville's Zoning Ordinance. (Ord. 1992-6, 4-23-1992)

3. Restrictions On Issuance Of Permit: A building sewer permit will only be issued and a sewer connection shall only be allowed if it can be demonstrated, by the petitioner, that the downstream sewerage facilities, including sewers, pump stations and wastewater treatment facilities, have sufficient capabilities to process the additional anticipated waste load.

B. Use Of Old Building Sewers: Old building sewers may be used in connection with new buildings only when they are found, on examination and approved by the Public Works Director or his designee, to meet all requirements as outlined below:

1. All sanitary sewer pipe materials shall conform to the latest applicable ANSI(American National Standards Institute), ASTM (American Society for Testing and Materials), AWWA(American Water Works Association) , AASHTO (American Association of State Highway Transportation Officials), or other nationally accepted standards. Only the following sanitary sewer pipe and joint materials are approved for use in the United City of Yorkville, Illinois:
 - a. Class 50 ductile iron pipe conforming to ANSI/AWWA C151/A.21.51-02 (or latest edition) with joints conforming to ANSI/AWWA C111/A.21.11-00 (or latest edition).
 - b. Polyvinyl chloride (PVC) pipe (6 inch -16 inch) conforming to ASTM D2241-05 (or latest edition) (SDR 26 – sewer depth between 4-20 feet and SDR 21 for depths between 20-25 feet) with joints conforming to ASTM D3139-98 (2005) or latest edition.
 - c. Solvent cement joints will not be allowed in the United City of Yorkville.
 - d. Pipe shall be clearly marked as follows at intervals of 5 feet or less:

- i. Manufacturer's name or trademark and code
 - ii. Nominal pipe size
 - iii. The PVC cell classification, for example 12454-B
 - iv. The legend "Type IPS SDR-26 PVC 1120 Sewer Pipe"
 - v. This designation "Specification D-2241" PVC Pipe shall be SDR 26. For sewer depths between 20 and 25 feet, SDR 21 shall be provided.
 - vi. Higher SDR numbers will only be allowed with the approval of the City Engineer.
- e. PVC FITTINGS All PVC fittings shall comply with ASTM F1970-05 (or latest edition) and fittings shall be clearly marked as follows:
- i. Manufacturer's name or trademark
 - ii. Nominal size
 - iii. The material designation PVC or IPS (iron pipe size), and this designation "Specification D2241" Fitting shall be molded for pipe sizes between 6 inches and 8 inches in diameter, and fabricated fittings for 10" to 16" in diameter.
 - iv. A minimum of 150 psi pressure class shall be provided. PVC fittings shall be SDR 26.
 - v. Higher SDR numbers will only be allowed with the approval of the City Engineer.
 - vi. Fittings shall be required to pass the same inspection and testing requirements of the PVC pipe.

1. CONNECTING DISSIMILAR PIPE MATERIALS

- a. Joints connecting dissimilar pipe materials shall be made with sewer clamp non-shear type couplings; Cascade CSS, Romac LSS, Fernco, Inc. Shear Ring or approved equal. When available, a standard joint with a transition gasket may be used. The name of the manufacturer, class, and date of issue shall be clearly identified on all sections of pipe. The contractor shall also submit bills of lading, or other quality assurance documentation when requested by the City Engineer.

C. Construction Specifications:

1. 1. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by a means which is approved in accordance with subsection C 2 of this Section and discharged to the building sewer.
2. An overhead sewer shall be required to be constructed in the lowest level of all new structures where the lowest level is three feet below the elevation of the crown of the street adjacent to the structure when such structures contain a toilet or shower facility within the

lowest level. Plumbing fixtures to be served by an overhead sewer shall drain into an ejection pit with pump and tight seal lid which meets the requirements of the Illinois State Plumbing Code. The ejector pit shall be properly sealed, vented and located to receive sewage by gravity flow from which the liquid shall be lifted and discharged into the sanitary sewer service. The discharge size of the pump shall be a minimum of two inches, and discharge line shall be equipped with a backwater check valve, and ball valve. Plumbing fixtures above the aforesaid elevation shall drain entirely by gravity and shall not be drained through the ejection pit.

D. Connections To Public Sewer:

1. The applicant for the building sewer permit shall notify the City when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Director of Public Works or his designee. A minimum of twenty-four (24) hours notice is required.
2. It is unlawful to construct combined sewers or other facilities intended to receive both runoff and sewage. Separate sanitary sewers and separate storm sewers shall be provided.
3. It is unlawful for any person owning or in possession of real estate to connect, permit to be connected or permit to remain connected any sewer to a public sanitary sewer which sewer receives roof drainage, foundation drainage, surface water or groundwater.

E. Discharge Into System:

All disposal by any person into the sewer system is unlawful except those discharges in compliance with Federal standards promulgated pursuant to the Federal Act and more stringent State and local standards.

2. Liability Of 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. (Ord. 1992-6, 4-23-1992; amd. Ord. 1996-11, 9-12-1996, eff. 11-1-1996)
3. Owner and occupant responsibility for maintenance. The owner and occupant of the premises served by the public sewer system shall jointly and severally properly maintain and operate a building service sewer, house connection or sanitary sewer line to the point of connection to the City sewer system main line. Maintenance means keeping the

sanitary sewer connection, sewer lines and other sewer facilities in satisfactory working condition and in a good state of repair (including but not limited to preventing any obstruction of extraneous material or flows from entering said facilities, protecting said facilities from any damage and keeping same free from defects or malfunctions), and making necessary provisions and taking necessary precautions to assure that said sewer facilities are at all times capable of satisfactorily performing the services and adequately discharging the facilities are intended to perform, discharge or produce.

7-6-4-1: TAP-ON FEES:  

A. Any residential property wishing to hook up to City sanitary sewer service shall pay to the City a flat rate of two thousand dollars (\$2,000.00) per dwelling unit. This is in addition to any and all other fees and charges by any other entity including the applicable sanitary district.

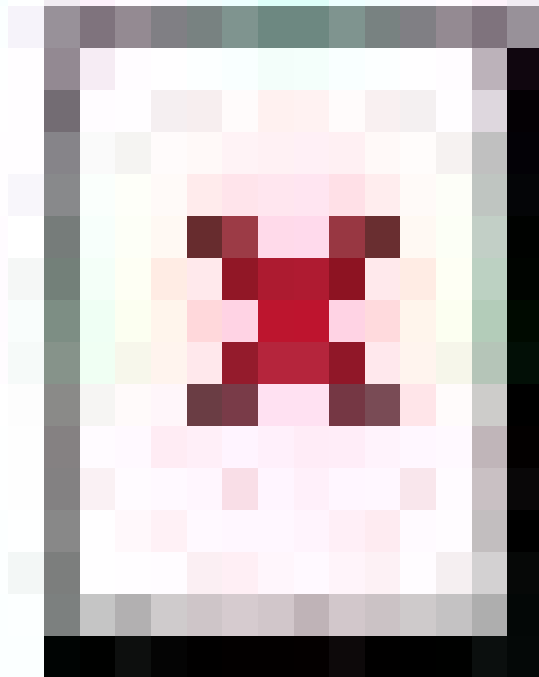
B. Any multi-family building will pay an additional fee of four hundred dollars (\$400.00) for each drain unit for common area drains which include, but are not limited to, laundry rooms, floor drains, etc. This additional fee shall be paid based on the summation of drain units times the four hundred dollar (\$400.00) multiplier:

Laundry washer unit	x	1/2
Floor drain	x	1/2
Common use toilet	x	1 1/2
Common use shower	x	1
Common use sink	x	1/2
Pool facilities	x	2
Common use kitchens	x	1 1/2

C. All nonresidential properties shall be charged a fee based on the total number of drain units, as listed in schedule A at the end of this section, times a multiplier of four hundred dollars (\$400.00). This fee is in addition to all other fees charged by any other entity including sanitary districts.

- D. All toilets having more than three (3) outlets, shall pay at the additional rate of 0.5 drain unit per outlet each. This applies to both residential and nonresidential properties.
- E. The size, slope, alignment, materials of construction of a building sewer service, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the city and/or state building and plumbing code or other applicable rules and regulations of the city or Yorkville-Bristol sanitary district.
- F. No person(s) shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building drain which in turn is connected directly or indirectly to a public sanitary sewer.
- G. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city and the Yorkville-Bristol sanitary district. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the city public works department before installation.
- H. 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 public works department.

I Schedule



Use Of Building	Number Of Drain Units
Stores, mercantile and office buildings:	

	Each private toilet	1
	Each public toilet with no more than 3 outlets	1½
	Each additional outlet	½
	Soda fountain	1
	Grocery stores and meat markets with garbage grinders	2
Drive-ins:		
	Each public toilet	1½
	Kitchens	1½
Restaurants and theaters:		
	Food service capacity number of persons:	
	0 - 50	1
	50 - 100	2
	100 - 200	3
	Each private toilet	1
	Each public toilet	1½
Service stations:		
	Each public toilet	1½
	Wash rack	2
Clubs:		
	Each toilet	1½
	Restaurant charge	As above
Motels and hotels:		
	Each room with bath or shower and/or toilet	⅓
	Each public toilet	1½

	Restaurant charge	As above
Mobile trailer parks:		
	Each trailer space with sanitary sewer outlet	1/2
	Each automatic washer unit	1/2
	Each public toilet	1 1/2
	Each public shower	1
Laundries:		
	Each automatic washer unit	1/2
	Each public toilet	1 1/2
Self-service car wash:		
	Per rack (covered)	1
	Per rack (uncovered)	4
Automatic car wash:		
	Each production line	10
	Each public toilet	1 1/2
Nursing homes and hospitals:		
	Resident capacity of each building determined from architect's plans and specifications divided by 4 (quotient to 2 decimal points)	
Schools:		
	Student capacity of each building determined from architect's plans and specifications divided by 12 (quotient to 2 decimal points)	
Dormitories, fraternities and sororities:		

Resident capacity of each building determined from architect's plans and specifications divided by 6 (quotient to 2 decimal points)	
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(Ord. 1996-11, 9-12-1996, eff. 11-1-1996)

7-6-4-2: SEWER INFRASTRUCTURE IMPROVEMENT AND MAINTENANCE FEE:  

Each utility customer using the public sanitary sewer system shall be charged a monthly infrastructure improvement for the sanitary sewer system of four dollars (\$4.00) April 30, 2021. Each utility customer using the public sanitary sewer system shall be charged a monthly maintenance fee for the sanitary sewer system of ten dollars and forty-four cents (\$10.44). These fees shall be billed as part of the City's utility billing system pursuant to this title. (Ord. 2019-16, 3-26-2019)

7-6-5: USE RESTRICTIONS:  

7-6-5-1: DISCHARGE OF EFFLUENT:  

- A. 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.

- B. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the City Engineer. Industrial cooling water or unpolluted process waters may be discharged on approval of the engineer, to a storm sewer or natural outlet. (Ord. 1992-6, 4-23-1992)

7-6-5-2: PROHIBITED SUBSTANCES:  

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

- A. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.

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

- C. Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, 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. (Ord. 1992-6, 4-23-1992)

7-6-5-3: MATERIALS UNDER SPECIAL REVIEW:

A. 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 director of the Yorkville-Bristol sanitary district 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 the opinion as to the acceptability of these wastes, the director 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 maximum limits established by regulatory agencies. The substances prohibited are:

1. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150°F) (65°C).
2. Any waters or wastes containing toxic or poisonous materials 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 Fahrenheit (32°F) (0°C) and one hundred fifty degrees Fahrenheit (150°F) (65°C).
3. 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 city engineer.
4. Any waters or wastes containing strong acid, iron pickling wastes or concentrated plating solution, whether neutralized or not.
5. Any waters or wastes containing iron, chromium, copper, zinc or similar objectionable or toxic substances or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Yorkville-Bristol Sanitary District for such materials.
6. Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the Yorkville-Bristol Sanitary District 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.

7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Yorkville-Bristol Sanitary District in compliance with applicable State or Federal regulations.
8. Any wastes or waters having a pH in excess of nine and five-tenths (9.5).
9. Any mercury or any of its compounds in excess of 0.0005 mg/l as Hg at any time except as permitted by the Yorkville-Bristol Sanitary District in compliance with applicable State and Federal regulations.
10. Any cyanide in excess of 0.025 mg/l at any time except as permitted by the Yorkville-Bristol Sanitary District in compliance with applicable State and Federal regulations.
11. Materials which exert or cause:
 - a. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate);
 - b. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions);
 - c. Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works;
 - d. Unusual volume of flow or concentrations of wastes constituting "slugs" as defined herein.
12. 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 agencies having jurisdiction over discharge to the receiving waters.

B. 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 herein, and/or which are in violation of the standards for pretreatment provided in 40 CFR 403, June 26, 1978, and any amendments thereto, and which in the judgment of the City 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 City may:

1. Reject the wastes;
2. Require pretreatment to an acceptable condition for discharge to the public sewers;
3. Require control over the quantities and rates of discharge; and/or
4. Require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges, under the provisions of Section [7-6-5-7](#) of this Chapter. If the City 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 City Engineer and subject to the requirements of all applicable codes, ordinances and laws. (Ord. 1992-6, 4-23-92)

7-6-5-4: INTERCEPTORS:

Grease, oil and sand interceptors shall be provided when, in the opinion of the City Engineer, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Engineer and shall be located as to be readily and easily accessible for cleaning and inspection. (Ord. 1992-6, 4-23-92)

7-6-5-5: PRELIMINARY TREATMENT:

Where preliminary treatment or flow-equalizing facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense. (Ord. 1992-6, 4-23-92)

7-6-5-6: MEASUREMENTS, TESTS AND ANALYSES:

- A. Each industry shall be required to install a control manhole and, when required by the City Engineer, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the City Engineer. 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.
- B. The owner of any property serviced by a building sewer carrying industrial wastes shall provide laboratory measurements, tests and analyses of waters and wastes to illustrate compliance with this Chapter and any special conditions for discharge established by City of Yorkville, Yorkville-Bristol Sanitary District or regulatory agencies having jurisdiction over the discharge.

The number, type and frequency of laboratory analyses to be performed by the owner shall be as stipulated by the City, but no less than once per year the industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with the Federal, State and local standards are being met. The owner shall report the results of measurements and laboratory analyses to the City at such times and in such a manner as prescribed by the City. The owner shall bear the expense of all measurements, analyses and reporting required by the City. At such times as deemed necessary, the City reserves the right to take measurements and samples for analysis by an outside laboratory service.

- C. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this Chapter shall be determined in accordance with the latest edition of IEPA Division of Laboratories Manual of Laboratory Methods and shall be determined at the control manhole provided or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect

of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. The particular analyses involved will determine whether a twenty four (24) hour composite of all outfalls of a premises 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 pHs are determined from periodic grab samples. (Ord. 1992-6, 4-23-92)

7-6-5-7: SPECIAL AGREEMENTS:

No statement contained in this Section shall be construed as preventing any special agreement or arrangement between the City, Yorkville-Bristol Sanitary District and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City and Sanitary District for transport and treatment, subject to payment therefor, in accordance with Sections [7-6-6-1](#) through [7-6-6-4](#) of this Chapter, by the industrial concern, provided such payments are in accordance with Federal and State guidelines for user charge system. (Ord. 1992-6, 4-23-92)

7-6-6: RATES AND CHARGES:

7-6-6-1: BASIS FOR SEWER MAINTENANCE CHARGES:

The sewer maintenance charge for the use of and for service supplied by the sanitary sewer facilities of the City shall consist of a basic user charge and a debt service charge.

A. Basic User Charge:

1. The basic user charge is levied on all users to recover the operation, maintenance and replacement (OM&R) and shall be based on the annual composite water usage as recorded by water meters or sewage meters for wastes having the following normal domestic concentrations:
 - a. A five (5) day, twenty degree (20°) Celsius biochemical oxygen demand (BOD) of two hundred (200) mg/l.
 - b. A suspended solids content of two hundred fifty milligrams per liter (250 mg/l).

1. The basic user charge shall be computed as follows:

- a. Estimate the annual wastewater volume, utilizing current water use records.
- b. Estimate the projected annual revenue required to operate and maintain the wastewater facilities, including a replacement fund for the year, for all works categories.
- c. Proportion the estimated OM&R costs to each of two (2) classes: residential and nonresidential, based on annual volumes released to the sanitary sewer.

B. Debt Service Charge: The debt service charge is assigned to residential and nonresidential users of the sanitary sewer system. (Ord. 1992-6, 4-23-1992)

7-6-6-2: MEASUREMENT OF FLOW:  

The volume of flow used for computing basic user charges for each class shall be the annual composite of metered water consumption for each respective class, read to the lowest even increments of one million (1,000,000) gallons.

A. If the person discharging wastes into the public sewers procures any part, or all, of his water from sources other than the public waterworks system, all or part of which is discharged into the public sewers, the person shall install and maintain, at his expense, water meters of a type approved by the public works department for the purpose of determining the volume of water obtained from these other sources.

B. Devices for measuring the volume of waste discharged may be required by the city engineer if these volumes cannot otherwise be determined from the metered water consumption records.

C. Metering devices for determining the volume of waste shall be installed, owned and maintained by the contributor to the sanitary sewer. Following approval and installation, such meters may not be removed, unless service is canceled, without the consent of the city engineer. (Ord. 1992-6, 4-23-1992)

7-6-6-3: RATES AND CHARGES ESTABLISHED:  

A. Sanitary sewer service rates shall be as follows:

1. The sewer rates shall be:

\$20.87 bimonthly

B. Notwithstanding the rates hereinabove set forth, the city council retains its right at any time to change, increase, decrease, add or eliminate charges so long as such action is taken in accordance with all applicable law. (Ord. 2014-16, 4-22-2014)

7-6-6-4: REVIEW AND REVISION OF CHARGES; NOTICE:  

A. The adequacy of the sewer maintenance charge shall be reviewed, not less often than annually. The sewer maintenance charges shall be revised periodically to reflect a change in local capital costs or OM&R costs.

B. The users of the sanitary sewer facilities will be notified annually, in conjunction with a regular bill, of the rate and that portion of the user charges which are attributable to the wastewater operation, maintenance and replacement. (Ord. 1992-6, 4-23-1992)

7-6-6-5: BILLS FOR SERVICE; DELINQUENCIES:  

A. Payment, First Notice: First notice bills for sewer service shall be mailed on or about January 1, March 1, May 1, July 1, September 1, and November 1 of each year, and all first notice bills and charges for sewer service and other services are payable at the Office of the Finance Director within thirty-five (35) days of the date of mailing.

7-6-6-6: DISPOSITION OF REVENUES:  

A. Duties Of Finance Director:

1. Monies To: All money due the Sewer Department from all purposes and sources, shall be managed by the Finance Director.
2. Custodian Of Funds: The Finance Director shall be custodian of the funds derived from income received from the sewer system, and shall be bonded for the faithful discharge of his duties. The Finance Director shall maintain separate accounts as is necessary or required by law.

B. Sewer Fund: All revenue derived from the sewer rates as herein provided shall be kept separate and apart by the Finance Director from the other revenue of the City. Said revenues shall be known as the Sewer Fund and shall be used for the maintenance, extension, improvement and operation of said sewer system, the retirement of sewerworks bonds and certificates, and under no circumstances shall this revenue be diverted to any other purpose unless authorized by City Council at any time.

7-6-6-7: BOOKS AND RECORDS; AUDITS:  



A. Right Of Access; Use Inspection: The United City of Yorkville and its employees and the Illinois Environmental Protection Agency shall have ready access at all reasonable times to the premises, places or buildings where sewer service is supplied for the purpose of inspecting, examining and testing the consumption, use and flow of sewer, and it shall be unlawful for any person to interfere with, prevent or obstruct the United City of Yorkville or its duly authorized agent or the Illinois Environmental Protection Agency in its duties hereunder. Every user of the system shall take the same upon the conditions prescribed in this section.

B. Access To Records: The IEPA or its authorized representative shall have access to any books, documents, papers and records of the United City of Yorkville, which are applicable to the sewer system, of user charges for the purpose of making audit, examination, excerpts and transcriptions thereof to ensure compliance with the terms of any loan obtained from the IEPA under its Public Water Supply (PWS) Loan Program.

7-6-6-8: EFFECTIVE DATE OF RATES:

The rates and service charges established for user charges in sections [7-6-6-1](#) through [7-6-6-4](#) of this chapter shall be effective as set forth by the ordinance or resolution establishing such rates and service charges. (Ord. 1992-6, 4-23-1992; amd. Ord. 1998-17, 5-14-1998, eff. 7-1-1998)

7-6-6-9: APPEALS:

Users shall be provided the method for computing rates and service charges within fourteen (14) days of written request. City shall make best efforts to remedy any disagreement with the method used or the computations made within thirty (30) days of a formal written appeal outlining the discrepancies. **7-6-7: PROTECTION FROM DAMAGE:**  

No unauthorized person shall maliciously, wilfully or negligently break, damage, destroy 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. (Ord. 1992-6, 4-23-1992)

7-6-8: POWERS AND AUTHORITY OF INSPECTORS:

A. Right Of Access; Use Inspection: The United City of Yorkville and its employees and the Illinois Environmental Protection Agency shall have ready access at all reasonable times to the premises, places or buildings where sewer service is supplied for the purpose of inspecting, examining and testing the consumption, use and flow of sewer, and it shall be unlawful for any person to interfere with, prevent or obstruct the United City of Yorkville or its duly authorized agent or the Illinois Environmental Protection Agency in its duties hereunder. Every user of the system shall take the same upon the conditions prescribed in this section.

B. Powers And Authority Of Inspectors:

1. The Director of Public Works and other duly authorized employees of the United City of Yorkville and the Illinois Environmental Protection Agency, bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this section. The United City of Yorkville or its representative shall have no authority to inquire into any processes, including metallurgical, chemical, oil refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterway or facilities for waste treatment.
2. While performing the necessary work on private properties referred to above the Director of Public Works or duly authorized employees of the United City of Yorkville and the Illinois Environmental Protection Agency shall observe all safety rules applicable to the premises established by the property owner or its agent, and the property owner or its agent shall be held harmless for injury or death to the United City of Yorkville employees, and the United City of Yorkville shall indemnify the company against liability claims and demands for personal injury or property damage asserted against the property owner and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the property owner or its agent to maintain conditions as required in this chapter.
3. The Director of Public Works and other duly authorized employees of the United City of Yorkville bearing proper credentials and identification shall be permitted to enter all private properties through which the United City of Yorkville 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 sewer system lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

7-6-9: SEWAGE AND WASTEWATER DRAINAGE INTO STORM SEWERS

PROHIBITED:

- A. Drainage Prohibited: It shall be unlawful for any person or institution, public or private, to connect or cause to be connected, any drain carrying, or to carry, any toilet, sink, basement, septic tank, cesspool, industrial waste or any fixture or device discharging polluting substances, to any open ditch, drain, or drainage structure installed solely for street or highway drainage purposes in the city.
- B. Additional Provisions: This section is intended to and shall be in addition to all other ordinances, state statutes, rules and regulations concerning pollution and shall not be construed as repealing or rescinding any other ordinance or part of any ordinance unless in direct conflict herewith.
(Ord. 1994-4, 3-10-1994)

Footnotes - Click any footnote link to go back to its reference.

[Footnote 1](#): See [Title 2, Chapter 1](#) of this Code.

[Footnote 2](#): 225 ILCS 225/1 et seq.

[Footnote 3](#): See also Section [7-6-4-1](#) of this Chapter.

[Footnote 4](#): 65 ILCS.