

**SEWER USE ORDINANCE****ORDINANCE NO. 829**

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE REGULATION AND USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, CONNECTION AND ANNEXATION CHARGES, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF OF THE FOX METRO WATER RECLAMATION DISTRICT OF, KANE, KENDALL, WILL AND DUPAGE COUNTIES, ILLINOIS.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE FOX METRO WATER RECLAMATION DISTRICT LOCATED IN KANE, KENDALL, WILL AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS:

TABLE OF CONTENTS

PREAMBLE.....	1
ARTICLE I DEFINITIONS OF TERMS.....	I-1
ARTICLE II ANNEXATION AND SEWER CONNECTION REQUIREMENTS	II-1
Section 1 Public Purpose.....	II-1
Section 2 Annexation of Land	II-1
Section 3 Application for Connection, Repair Permit and Inspection	II-3
Section 4 Connection Fee Credit, Schedule of Fees and Refunds.....	II-4
ARTICLE III SEWER CONSTRUCTION REGULATIONS	III-1
Section 1 Public Purpose.....	III-1
Section 2 Public Requirements.....	III-1
Section 3 I.E.P.A. Permit - Exemptions and Requirements	III-1
Section 4 Administrative Waivers	III-1
Section 5 Permittees	III-2
Section 6 Construction Rules and Regulations.....	III-2
Section 7 Design Requirements and Rehabilitation	III-3
Section 8 Supplemental Design Requirements	III-7
Section 9 Construction Within the Flood Plain	III-12
Section 10 Storm Water and Protection of Sanitary Sewers.....	III-12
Section 11 Submittal Requirements.....	III-14

Section 12 Construction	III-17
Section 13 Sanitary Sewer Testing and Approval	III-18
Section 14 Bonds and Permits	III-21
Section 15 Violations, Fines and Penalties	III-21
 ARTICLE IV GENERAL PROVISIONS	 IV-1
Section 1 Right of Entry for Inspection.....	IV-1
Section 2 Prosecution for Damages.....	IV-1
 ARTICLE V CONSTITUTIONALITY.....	 V-1
Section 1 Severability	V-1
Section 2 Repeals	V-1
Section 3 Effective Date	V-1

PREAMBLE

WHEREAS, the Federal Water Pollution Control Act (33 U.S.C. 1251 ET SEQ) as amended by the Clean Water Act of 1977 and the Water Quality Act of 1987, and regulations promulgated thereunder require the enactment and/or revision of sewer use ordinances, and

WHEREAS, the Board of Trustees of the Fox Metro Water Reclamation District has determined that the sections of this Ordinance provide a just regulation of the public waste treatment and collection facilities, and complies with applicable Federal regulations, and

WHEREAS, the Board of Trustees of the Fox Metro Water Reclamation District hereby finds that it will be conducive to the public health, comfort or convenience to have the power and authority to regulate, limit, extend, deny or otherwise control any connection to any sewer system under the jurisdiction of a city, village or incorporated town that is tributary to a Fox Metro Water Reclamation District sewer system by any person or municipal corporation regardless of whether the sewer into which the connection is made is directly under the jurisdiction of the Fox Metro Water Reclamation District or not, all as is provided by Statue (70 ILCS 2405 et seq.).

NOW, THEREFORE, be it ordained that the following Ordinance is hereby enacted by the Board of Trustees of the Fox Metro Water Reclamation District.

ARTICLE I

DEFINITIONS

Act shall mean the Federal Water Pollution Control Act, as amended by *the Clean Water Act* and *the Water Quality Act* (33 USC 1251 ET SEQ).

Administrator shall mean the Regional Administrator of Region V of the U.S. Environmental Protection Agency.

Authority shall mean the Fox Metro Water Reclamation District.

Board of Trustees or Board shall mean the Board of Trustees of the Fox Metro Water Reclamation District.

Biochemical Oxygen Demand (BOD) shall mean the quantities of oxygen, expressed in mg/l, utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at 20 degrees centigrade.

Building Drain shall mean that part of the lowest horizontal piping of a drainage system which receives the sanitary discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer. The building drain terminates three to five (3-5) feet outside the face of the building foundation wall.

Building Sewer shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection or service connection.

Business Day shall be defined as any weekday during which the District's administrative offices are scheduled to be open to the public for the purpose of conducting normal business transactions. Saturdays, Sundays and recognized holidays as determined from year to year by the District's Board shall not be considered Business Days.

Collection Sewer shall be defined as a sewer that accumulates and conveys wastewater from any building sewer or individual point source discharge of wastewater.

Combined Sewer shall be defined as a sewer that accumulates and conveys a combination of both wastewater and storm or surface water runoff.

Construction Drainage shall mean water accumulated in excavations, taken from the ground through a well point, under-drain or other dewatering system, accumulated as a result of grading, and all other drainage associated with construction operation.

District shall mean the Fox Metro Water Reclamation District of Kane, Kendall, Will, and DuPage counties, Illinois, and any reference to within the District, shall mean all territory within the perimeter of the District's boundaries, or under its jurisdiction, and within its Facility Planning Area (FPA).

District Manager or Manager shall mean the chief administrator of the Fox Metro Water Reclamation District.

Domestic Waste shall mean all household type of discharges from places of human habitation including kitchen, washroom, and laundry wastes. Discharge waste strength shall be considered to average 0.17 lbs of BOD₅ and 0.20 lbs of suspended solids at a discharge rate of 100 gallons per capita per day.

Easement shall mean an acquired legal right for the specific use of land owned by others. Unless otherwise approved by the District, all District easements shall be exclusive.

Fats, Oils and Grease (FOG) shall mean those components of wastewater amenable to measurement by the methods described in Standard Methods for the examination of Water and Wastewater, latest approved edition or other methods approved by 40CFR136. For the purposes described in "Fox Metro Water Reclamation District Industrial Pretreatment Grease Ordinance #784", the term Fats, Oils and Grease shall include polar fats, oils, and grease and other components extracted from wastewater by these methods, excluding the non-polar fraction.

Food Service Establishments (FSE) shall mean any establishment, commercial or non-commercial, primarily engaged in preparing, serving, or otherwise making available for consumption, foodstuffs in or on a receptacle that requires washing more than two (2) days per week and that discharges to the public sewer system.

Force Main shall mean a pipe in which wastewater is carried under pressure.

Garbage shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

Grease Removal System (GRS) shall mean any device designed for, and intended for, separating, collecting, and removing waterborne FOG and settleable solids prior to discharging to the POTW (See Fox Metro Pretreatment Grease Ordinance #784 for specific information).

Gross Density shall mean, for purposes of determining an appropriate single-family connection fee for a given development, the total of all dwelling units indicated in the preliminary plan and/or plat divided by the total gross acreage for the residential portion of the site.

Immediate Service Area shall be defined as the area of a specific residential or non-residential development delineated on a conceptual, preliminary or final engineering plan proposed to be directly serviced by a specific size and quantity of public sewer connected to an existing or proposed sanitary sewer interceptor. This area is exclusive of the ultimate service area.

Industrial Wastes shall mean any solid, liquid, or gaseous wastes resulting from any process of industry, trade or business or from the development, processing, or recovery, except for agricultural crop-raising, of any natural resource.

Infiltration shall mean the water entering a sanitary sewer system from the ground through such means as, but not limited to, defective pipes, pipe joints, connections, or manhole walls.

Infiltration/Inflow (I/I) shall mean the total quantity of water from both infiltration and inflow without distinguishing the source.

Inflow shall mean the extraneous storm water that enters into a sanitary sewer from such sources as, but not limited to, roof leaders, cleanouts, cellar drains, yard drains, area drains, foundation drains, cooling water discharges, drains from springs and swampy areas, manhole lids, cross connections from storm sewers and combined sewers, catch basins, surface run-off, or drainage.

Inspection Manhole shall mean any accessible manhole that can be used for the purpose of maintenance, inspection, sampling, and installation of flow meters.

Interceptor Sewer shall be defined as a sanitary sewer fifteen (15) inches in diameter or greater that accumulates and conveys wastewater from collection sewers to a treatment facility.

Maintenance shall mean keeping the sewer lines, sewer systems, sewer facilities or sewage works and structures in satisfactory working condition and good state of repair, (including, but not limited to, preventing any obstructions or extraneous materials 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 functions and producing the final results and purposes said facilities are intended to perform, discharge or produce.

May is permissive.

National Pollution Discharge Elimination System (NPDES) Permit shall mean any permit or equivalent documents or requirements issued by the Administrator, or where appropriate, by the Director of the Illinois Environmental Protection Agency, after enactment of the Federal Water Pollution Control Amendments of 1972, to regulate the discharge of pollutants pursuant to Section 402 of the Clean Water Act.

Natural Outlet shall mean any outlet, including storm sewers and combined sewer overflows, into a water course, pond, ditch, lake or other body of surface water or groundwater.

Non-residential shall be defined as a term used to describe all properties or parcels which service a purpose other than for habitation and includes, but is not limited to, retail and office buildings, food establishments, educational institutions, manufacturing facilities, churches and medical facilities.

Outlet (fixture) shall mean each floor opening, sink, water closet, urinal, shower, electric water cooler, dentist tray, and soda or water dispensers, manufacturing equipment or any similar plumbing fixture which generates a waste stream, accepts waste and flows into the wastewater facilities.

Population Equivalent (PE) is a term used to evaluate the impact of industrial or other wastes on a treatment works or stream. One population equivalent (1 P.E.) of normal domestic sewage is 100 gallons per day, containing 0.17 lbs. of BOD₅ and, or 0.20 lbs. of suspended solids. The impact on a treatment works is evaluated as the equivalent of the highest of the three parameters. Impact on a stream is the higher of the BOD₅ and Suspended Solids parameters.

Pretreatment shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to (or in lieu of) introducing such pollutants into the Fox Metro Water Reclamation District wastewater treatment system. This reduction or alteration can be obtained by physical, chemical, or biological processes, by process changes, or by other means, except as prohibited by 40-CFR-403.6(d).

Private Sewer shall be defined as any sanitary sewer owned and maintained by a non-governmental agency, usually an association or the owner of the property on which this sewer was constructed.

Public Sewer shall mean a common sanitary sewer which is owned and maintained by a governmental agency or public utility.

Pumping Station shall mean a station positioned in a low level of a sewer system at which point wastewater is pumped to a higher level.

Residential shall be defined as a term used to describe all single-family homes, apartments, condominiums, townhomes, apartments or other properties, parcels or dwellings intended for the sole use of habitation.

Sanitary Sewer shall be defined as a sewer that carries domestic or non-domestic wastewater from Residential and/or Non-residential buildings to a treatment facility.

Sewer shall be defined as a pipe or conduit that carries wastewater or drainage water.

Shall is mandatory.

Shredded Garbage shall mean (residential only) garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one half (1/2) inch in any dimension.

Specifications shall mean all approved and current manhole/sewer pipe specifications, general notes, contractor notice, rules & regulations, construction details, and permit forms of the Fox Metro Water Reclamation District.

Storm Sewer shall mean a sewer for conveying roadway or overland drainage water, groundwater, or Unpolluted Water from any source (sometimes called storm drain).

Surcharge shall mean the additional cost over the normal charge for the treatment of wastewater containing pollutants in excess of the limits set forth in the District's Pretreatment Ordinance #517.

Tributary Sewer System shall mean any Private Sewer, Public Sewer or Building Sewer approved by the District, which may or may not be under the direct jurisdiction of the District, which is tributary to the District sewer treatment plant.

Ultimate Service Area shall be defined as the total area delineated in the vicinity of an immediate service area that is tributary to an existing or proposed sanitary sewer interceptor serving said immediate service area. This area is inclusive of the immediate service area.

Unit shall be defined as the various decimal values of individual plumbing fixtures described within the most current Sewer Use Ordinance or its successor ordinance as it pertains to Residential or Non-residential facilities. A District "Unit" charge may also apply to the decimal sum of all existing or proposed credits or debits within Non-residential buildings, businesses or tenant spaces. Sewer connection charges are calculated by multiplying the decimal Unit sum amount described above by the current Unit rate.

Unpolluted Water shall mean water of 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 shall mean sewage, industrial waste or other waste, or any combination of these, whether treated or un-treated.

Wastewater Treatment Facilities shall mean the structures, equipment and processes required to collect, transport and treat domestic and industrial wastes and dispose of the effluent and accumulated residual solids.

Watercourse shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

ARTICLE II

ANNEXATION AND SEWER CONNECTION REQUIREMENTS

Section 1 **Public Purpose**

- 1.1 The public purpose is hereby declared to be: to provide for the collection and disposal, and treatment of domestic and industrial waste in the manner provided by law for the area within the boundaries of the Fox Metro Water Reclamation District; to provide for the collection of a fair and reasonable charge, for connection to, the use of, or additional use of the District's wastewater treatment facilities or sewer systems, in addition to those charges covered by other revenue and to be known as a connection charge. The funds thus collected are intended to be used by the District for its general corporate purposes with primary application being the necessary construction, expansion and extension of the wastewater treatment facilities to meet the requirements of the new users and environmental standards.
- 1.2 For the purposes of this ordinance, each detached residential home, whether rented or owned individually, shall have a separate building sewer connection to a public sewer. Where any one building contains more than one single-family dwelling, and each dwelling has individual ground-floor access, each dwelling shall also have a separate building drain and building sewer connection to a public sewer. When one water service is allowed to be installed at the public/private water main by the governing public/private water provider for any multi-family building, one building sewer may be allowed.
- 1.3 For each individual Non-residential building, a separate building sewer is required to be connected to a public sewer. More than one building sewer may be installed to a 6" or 8" private-owned main, if said private main is on the same property (see Article III, Section 8.4n). This may be on a case-by-case basis, and at the discretion of the District. The District reserves the right to require a separate building sewer connection to the public sewer for any Non-residential building.

Section 2 **Annexation of Land**

- 2.1 The owner(s) of any land, (not including land which is currently within the limits of the District) whether the land is proposed as a Planned Unit Development or contains buildings which are Residential or Non-residential and desires to connect to a public sewer, must file an annexation petition with the District prior to applying for a sanitary sewer connection permit or requesting the District's signing of Illinois Environmental Protection Agency Water Pollution Control Permit applications. In addition to said petition, an annexation plat shall be filed with the District. An annexation agreement may be required between the owner(s) and the District. All applicable annexation and Infrastructure Participation Fees shall be paid in full prior to the monthly Board meeting, or as spelled out in said agreement, as defined in the District's current annexation ordinance.
- 2.2 Said annexation and infrastructure participation fees shall be calculated based on the total gross acreage of the original-purchased land parcel, prior to conveying any/all lands to any Park District, School District, Forrest Preserve, state, county other municipality or non-public

organization or agency. Acreage used to determine the annexation and infrastructure participation fees include all existing or proposed lakes, ponds, wetlands, parks, schools, forest preserves, and proposed rights of ways regardless of whether or not said conveyed lands are a part of the final plat of subdivision. Full disclosure of the original owned/purchased area may be requested from the owner in order to proceed with the District's annexation process.

- 2.3 Exclusions of acreage to the gross annexation area: Only right of way, which has been dedicated for a period of five (5) years or more, may be excluded from the area used to determine the annexation and infrastructure participation fees. Acreage owned within a prescriptive right of way may also be excluded from the acreage total used to determine the annexation and infrastructure participation fees if the legal description of said property describes said acreage as such. Legally described right-of-way acreage may only be subtracted from the gross acreage if properly indicated on an approved annexation plat. This acreage "break-down" shall be included on the plat, and subsequently approved by the District at the time of petitioning the District for annexation.
- 2.4 Payment of Annexation and Infrastructure Participation Fees: A fee of \$1650.00 per acre for each acre annexed to the District shall be paid as the area is annexed or an agreement is approved. The infrastructure participation fee (I.P.F.) shall be determined in accordance with Article II, Section 2.5 by service areas which may vary as determined by the need in certain service areas. Annexation fees and Infrastructure Participation fees are subject to change by the Board. In the event these fees are revised, the most current fees and/or ordinance(s) shall apply. The Annexation and Infrastructure Participation fees for a given area shall be payable by the developer in one of the following ways at the District's discretion:
- a) Annexation and Infrastructure Participation Fee payments may be required in full one (1) day prior to the appropriate Board meeting where said annexation is to be final-approved and voted upon.
 - b) An annexation agreement may be established between the developer and the District in cases where a District interceptor exists or is proposed to be constructed by the District. In cases such as this, annexation charges shall be paid for the entire net area to be annexed prior to the signing of said agreement by both parties. Infrastructure participation fees shall be paid prior to the District signing the relevant Illinois Environmental Protection Agency Water Pollution Control permit application(s) for on-site sanitary sewer improvements, either for the whole site or by the development phase or unit. When the whole site is proposed to be developed under one phase/unit and IEPA permit, this fee shall be determined by multiplying the appropriate Infrastructure Participation Fee service area amount by the number of net acres shown on the approved annexation plat. For sites being developed in phases, the appropriate I.P.F. amount shall be used in conjunction with the area shown on the subsequent final subdivision plats until the total cost for said Infrastructure Participation Fee called out within the annexation agreement has been paid in full.
 - c) An annexation agreement may also be established between the developer and the District in cases where a District interceptor is to be constructed by the developer either prior to, or in conjunction with a proposed property or development. Upon receiving invoices from the contractor who is installing said interceptor, the District shall be responsible for

making the appropriate payment to the contractor for any full or partial invoice approved by the District's Board of Trustees. The developer shall then be required to reimburse the District for the full amount(s) of any/all invoice(s) paid by the District to the contractor, as spelled out in the annexation agreement.

- 2.5 Infrastructure Participation Fee Areas: The service areas and the amounts payable in each service area are inclusive of the \$1,650.00 per acre annexation fee. Annexation fees and Infrastructure Participation fees are subject to change without notice by the Board. In the event these fees are revised, the most current fees will apply. Contact the District's engineering department to verify the fee rates listed below.

- I. JOLIET ROAD SERVICE AREA - \$3,150.00 per acre
- II. RANDALL ROAD SERVICE AREA - \$2,889.00 per acre
- III. COPLEY SERVICE AREA - \$2,963.00 per acre
- IV. MORGAN CREEK/SOUTHWEST/OSWEGO SERVICE AREA - \$7,830.00 per acre
- V. BURLINGTON NORTHERN/EOLA ROAD SERVICE AREA - \$3,567.00 per acre
- VI. WAUBONSIE INTERCEPTOR 5-5 PHASE 2 (CALVARY TEMPLE) SERVICE AREA - \$2,104.00 per acre
- VII. ORCHARD ROAD/OAK STREET SERVICE AREA - \$3,354.00 per acre
- VIII. SUGAR GROVE SERVICE AREA - \$7,830.00 per acre
- IX. FOX BEND SERVICE AREA - \$2,500.00 per acre
- X. BLACKBERRY CREEK SERVICE AREA - \$4,145.00 per acre
- XI. DEERPATH/HANKES ROAD SERVICE AREA - \$3,230.00 per acre

Section 3 **Application for Connection, Repair Permit and Inspection**

- 3.1 No connection shall be made to the District's sanitary sewer system or to any tributary sanitary sewer system, and no additional use shall be made of an existing connection until an appropriate permit for such connection or additional use has been issued by the District. Prior to the issuance of such permit by the District, an application shall be properly completed and filed with the District and all applicable fees and charges paid in full. In addition, the applicant shall submit plans and specifications for the proposed construction in accordance with the provisions of Article III of this Ordinance.
- 3.2 After a connection has been made according to the provisions of the permit issued, the construction ditch shall be left open until the District has inspected and approved the connection.

- 3.3 All building sewers, whether new installation or replacing or repairing existing services within the City of Aurora, Village of Montgomery, Village of Oswego, Village of North Aurora, Village of Sugar Grove, and portions of the City of Batavia and the United City of Yorkville shall be in accordance with “77 Illinois Administrative Code, part 890, Illinois Plumbing Code”, latest edition.
- 3.4 All installations of potable water services, whether new installation or replacing or repairing existing services within the City of Aurora, Village of Montgomery, Village of North Aurora, Village of Sugar Grove, and portions of the City of Batavia shall be in accordance with “77 Illinois Administrative Code, part 890, Illinois Plumbing Code”, latest edition. An Illinois state licensed plumber shall perform all potable water service connections and installations. The District may perform the inspection as per agreement with the applicable individual City or Village.
- 3.5 All connection permits issued by the District shall expire after one (1) calendar year from the date of issuance and repair permits shall expire thirty (30) days from the date of issuance. If said permit has expired, the applicant shall be required to obtain a new permit. If applicable, an additional fee shall be incurred by the owner to cover the difference between the new fee amount and the original amount paid.
- 3.6 When a dig repair, lining repair, or any work to any building sewer is necessary, a District repair permit shall be issued prior to commencement of any such work.
- 3.7 Prior to obtaining a repair permit to install a Cured In Place Pipe (C.I.P.P.) liner inside of any building sewer, a DVD video showing the existing condition of the inside of the pipe must first be submitted to the District for review one (1) week prior to performing said work. On behalf of the private property owner, the District shall evaluate and provide a recommendation on the extent of work to be performed. For final acceptance of repairs, a second DVD video showing the completed work shall be submitted for review and approval by the District. Any lining work within District limits must be performed by a bonded contractor.

Section 4 **Connection Fee Credit, Schedule of Fees and Refunds**

- 4.1 Sewer Connection Fees – This ordinance, or any successor ordinance, shall be used in determining all connection charges. Industrial charges shall be in accordance with Ordinance No. 517, or its successor ordinances. All District fees may be reviewed on occasion by the Board of Trustees and adjusted accordingly. The most current connection fee ordinance shall be used.
- 4.2 Credit Toward Connection Charges – Credit towards connection charges may be issued by the District for non-residential and residential buildings only where specific documentation either exists in the District’s records, or is presented to the District by the developer in the manner described below:
- a. Each Non-residential application for connection to the public sewer system shall be given credit for the number of units previously permitted to connect to the public sewer. Credit shall only be given if outlets are properly documented in the District’s construction files

or if a signed and sealed plumbing demolition plan is submitted by a licensed architect where a District construction file does not exist.

- b. Where a residence existed which was originally constructed as a single-family use, District connection permit credit shall be issued for the construction of any new residential or non-residential building in the amount of one (1.0) "Fox Metro Water Reclamation District Unit". The District shall only issue said credit if a previous waste water treatment payment history exists for the previous dwelling.
- c. Where any residential multi-dwelling building existed, credit for the construction of any new residential or non-residential building shall be given in accordance with 4.2a above.

4.3 For residential occupancy, the connection charges are as follows:

- a. Any subdivision with a gross density of greater than or equal to 2.0 single-family dwelling units per acre shall pay \$1,650.00 per dwelling unit.
- b. Any subdivision with a gross density of greater than or equal to 1.0 but less than 2.0 single family dwelling units per acre shall pay \$2,250.00 per dwelling unit.
- c. Any subdivision with a gross density less than 1.0 single family dwelling units per acre shall pay \$3,400.00 per dwelling unit.
- d. For multifamily dwelling units the connection charge shall be \$1,650.00 per dwelling unit.

4.4 For Non-residential property, connection fees shall be \$1,650.00 per unit, with units calculated as described under "fixture charges" and "specific use charges" below.

4.5 Where it has been determined by the District that there are existing/unpaid plumbing fixtures or other "Specific Use charges" in any Non-residential building, any permit(s) applied for within said building shall be held by the engineering department until restitution of unpaid charges has been made to the District by either the tenant or the owner of said building.

FIXTURE CHARGES

NUMBER OF FOX METRO WRD UNITS

- a. *Each outlet not specifically detailed herein.
 (Common examples include, **but are not limited to:** sinks (per hot/cold source), water closets, urinals, drinking fountains (per drink station), soda dispensers, ice makers, dipper wells, "Bradley" sinks (per wash station), dish washers, interior hose bibs etc.)
- b. Each public shower (each shower head)
- c. Each automatic washing machine:

*0.5

1.0

0 - 15 lbs. in capacity	0.5
16 - 25 lbs. in capacity	0.75
26 & up in capacity	1.0
d. Each floor drain, open site drain, hub drain, trench drain (per <i>outlet</i>).	0.2
e. Each dentist tray station	0.2
g. Eye wash stations (Includes one water source and corresponding floor drain)	0.2

SPECIFIC USE CHARGES

	NUMBER OF FOX METRO WRD UNITS
h. ** Restaurants and Theaters: Seating capacity <u>exclusive</u> of other fixture units.	
Total Seats: 0 – 50	0.5
51 – 100	1.0
101 – 200	2.0
201 – 300	3.0
Each additional 100	1.0
i. ** Car Wash Facilities:	
Manual Car Wash (with re-circulation) - Each enclosed bay	3.0
Automatic Car Wash (with re-circulation) - Each production line	5.0
j. MOTELS/HOTELS:	
Each room with washroom only (containing only a bath <u>or</u> shower, with toilet and sink) (Additional fixtures will be charged as indicated above under “fixture charges”)	0.5

***Manufacturing equipment or other various waste stream generators could incur higher unit charges. These shall be taken into account on a case-by-case basis.**

**** These fees are in addition to “fixture charges” shown above.**

MISCELLANEOUS CHARGES

(All charges listed below are non-refundable)

k. Holiday & weekend inspections	*\$150
*Inspection time up to two (2) hours (including travel) (Additional \$100 per hour after initial two (2)-hour period)	

- 4.6 TELEVISION INSPECTION AND PLAN REVIEW CHARGES: Civil engineering plans shall be submitted for review to the District's engineering department for all new construction or for the modification of the existing sanitary sewer system. These plans will be reviewed to determine if all provisions of this Ordinance have been met. The cost of the plan review is included in the television inspection fee. The plan review and T.V. inspection charge is \$1.90 per lineal foot of sanitary sewers eight (8) inches in diameter or greater and shall be paid for by the developer prior to the District releasing I.E.P.A. permit applications for the construction of the proposed improvements. All fees are subject to change as the Board finds necessary.
- 4.7 REFUNDING OF CONNECTION CHARGES: Within one (1) year of filing with the District and upon written request by the original owner or developer of the parcel or lot, ninety percent (90%) of the connection charges may be refunded for any residential or Non-residential project.
- a. The owner must provide the District with written or email confirmation by the governing municipality that the subject project has officially been cancelled.
 - b. After one (1) year, monetary refunds shall not be issued.
 - c. Transfer of credit(s) – After one year from the permit date within any residential Planned Unit Development (P.U.D.), credit(s) associated with a given parcel(s) may be utilized toward a different parcel. Any difference in the fee for single-family dwelling units from the date the permit was issued to the credit transfer date shall be paid before said transfer of credit is finalized.

For Non-residential uses, credits shall only remain within the originally permitted single-use building or originally permitted tenant space within any multi-tenant building. Credits shall not transfer from one property to another, even if properties are owned by the same individual.

ARTICLE III

SEWER CONSTRUCTION REGULATIONS

Section 1 Public Purpose

The public purpose of this Article is hereby declared to be that all public sewers, building drains and building sewers tributary to and/or a part of the wastewater treatment facilities of the District will in their construction, operation, maintenance, and expansion be conducive to the public health, comfort and convenience, and in accordance with District Ordinances.

Section 2 Public Requirements

- 2.1 No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any public sewer, including tributary sewers, without first obtaining a permit or written authorization from the District.
- 2.2 Each sewer which is designed and is to be connected so as to be an integral part of the sanitary sewer system within the boundaries of the District shall not be constructed without a permit issued by the District and the Illinois Environmental Protection Agency where required.
- 2.3 Except as provided in Article III, Section 3, I.E.P.A. Permit - Exemptions and Requirements, and Article III, Section 4, Administrative Waivers, an Illinois Environmental Protection Agency Permit and a Fox Metro Water Reclamation District Permit is required for construction of all sewers and sewer facilities within the jurisdiction of the District, whether such construction is on private or public property. A District and/or I.E.P.A. permit may also be required for existing buildings when the use of such buildings changes to a use requiring said permit. It is the responsibility of the Manager to administer and enforce the Ordinance within the authority granted by the Board.

Section 3 I.E.P.A. Permit - Exemptions and Requirements

- 3.1 A building sewer constructed to serve a single family home or a building producing less than 1500 g.p.d. domestic sewer flow may be exempt from being required to apply to the Illinois Environmental Protection Agency for a permit from the Bureau of Water, Division of Water Pollution Control, subject to specific standards hereinafter provided.
- 3.2 A building producing any amount of non-domestic flows, even though said building generates less than 1500 g.p.d. (15 P.E.) of domestic flows, shall be required to obtain a permit from the Illinois Environmental Protection Agency, Bureau of Water, Division of Water Pollution Control.

Section 4 Administrative Waivers

- 4.1 The administrative waiver is a procedural exemption under this Ordinance. Waivers may be granted only by the District Manager to the permittees for specific types of projects only if those permittees have complied with the requirements for administrative waivers. Permittees seeking

an administrative waiver shall be required to submit the following information in writing to the District Manager:

- a. A Letter of Explanation describing the project and proposed sewer improvements, identifying the specific requirements that are requested to be waived and explaining the need for the specific requirements to be waived for this project.
- b. An exhibit, signed and sealed by a Professional Engineer registered in Illinois, depicting the proposed sewer improvements discussed in the Letter of Explanation.

4.2 Upon review by the District manager, a waiver may be granted. Any waiver issued by the Manager may contain specific conditions which shall be strictly adhered to by the permittee, developer or owner who originally requested the waiver. Failure to follow all conditions of an Administrative Waiver shall be considered as just cause for the District to administer fines and/or penalties for such violations per Article III, Section 15 of this ordinance and be cause to withhold future connection permits or I.E.P.A. permit applications for any tributary or non-tributary service area by the same permittee, developer or owner.

Section 5 **Permittees**

The District recognizes, as permittees, the parties listed below. The permittee is held responsible for compliance with the conditions of the permit.

- a. Any municipality, municipal corporation, utility company, township government or any other governmental body.
- b. Any municipality, municipal corporation, utility company, township government or any other governmental body jointly with any individual or corporation where application is made for installations on private property.
- c. Any person who seeks permission to discharge wastewater to the District, within the boundaries of the District, where direct connection to a public sewer is contemplated for the sole, exclusive and perpetual use of the owner of said property.

Section 6 **Construction Rules and Regulations**

The rules, regulations, ordinances and policies listed herein, and issued by the authorities indicated, are incorporated herein by reference.

- a. The Fox Metro Water Reclamation District rules, regulations, policies, directives, specifications, general notes, contractor notice, construction details, permit forms and instructions that may be adopted or issued from time to time by the Board of Trustees.
- b. Federal Water Pollution Control Act Amendment of 1972 as amended (33 USC 1251 ET SEQ).
- c. The Illinois Pollution Control Board including all orders, rules and regulations thereof.

- d. Environmental Protection Act, including all orders, technical releases, rules and regulations issued from time to time.
- e. “Standard Specifications for Water and Sewer Main Construction in Illinois”, latest edition.
- f. “Recommended Standards for Sewage Works”, Great Lakes-Upper Mississippi River Board of State Sanitary Engineers (Ten State Standards)
- g. “77 Illinois Administrative Code, part 890, Illinois Plumbing Code”, latest edition.
- h. The Occupational Safety and Health Administration (O.S.H.A.)—Regulations (Standards-29 CFR) – Standard Number 1926.652.

The District reserves the right to adopt continuous rules and regulations in order to adhere to the policies and directives of those organizations that have been listed in “a-h” above. These rules are in place for the protection of those who are serviced by the District’s Public Owned Treatment Plant and are detailed as follows. Any person, firm or organization shall be subject to these rules and regulations if deemed necessary by the District in order to provide for the safety and welfare of the public.

Section 7 Design Requirements and Rehabilitation

- 7.1 Minimum Design Standard – The design and construction of sanitary sewers within the jurisdiction of the District shall conform to the standards set out in District ordinances.
- 7.2 Design Slopes – Minimum design slopes shall be 1.00% for six (6) inch building sewers and .40% for eight (8) inch sewers, with all other design slopes conforming to the requirements of the “Standard Specifications for Water and Sewer Main Construction in Illinois”. Building drains shall conform to the “State of Illinois Plumbing Code”, as a minimum.
- 7.3 Manholes – Standard manholes shall be constructed as follows:
 - a. Maximum spacing shall be 500 feet for larger diameter sewers 15” and greater and 400 feet for sewers 14” and less. Greater spacing of manholes may be encouraged on a case-by-case basis.
 - b. For all Non-residential connections, an inspection manhole shall be required to be constructed in the appropriate location determined by the engineering department when:
 - 1. Any amount of non-domestic waste is proposed to be discharged from the building drain (see Article III, Section 3) to the building sewer. A manhole will be required where the building drain meets the building sewer, typically 5’ (maximum) from the building’s foundation.

2. An oil/water separator is required by the municipality having initial jurisdiction, as well as “77 Illinois Administrative Code, part 890, Illinois Plumbing Code”, latest edition, to capture petroleum waste. In cases where an exterior unit is proposed, a manhole is required at the point where flows from the separator and domestic waste lines converge.
 3. An exterior grease removal system has been deemed required by the District’s Pretreatment Department. In this case, a manhole is required at the point where flows from the G.R.S. and domestic waste lines converge.
 4. Deemed necessary by the District so as to provide efficient sewer service.
- c. The inspection manhole shall be located not less than 3 feet, or more than 5 feet from the exterior wall of the building foundation. Said inspection manhole shall be for the purpose of inspection, sampling, metering and service or other uses deemed necessary by the District. In cases where a grease removal system or oil/water separator is required, cleanouts shall be installed at the foundation per “77 Illinois Administrative Code, part 890, Illinois Plumbing Code”, latest edition.
 - d. The inverts of all pipes entering a manhole where the existing or proposed outlet sewer is fifteen (15) inches in diameter or larger shall be set so as to match the eighty percent (80%) flow line of the pipe leaving the manhole. For example: An 8-inch diameter pipe is connected to a manhole with an existing 18-inch diameter outlet having an elevation of 100.00 feet. The 80% flow line of the 18-inch pipe is calculated to be 101.20 feet $[100.00 + (1.5' \text{ dia.} \times 0.80)]$. The invert of the 8-inch pipe is then calculated to be 100.66 feet $[101.20' - (0.67' - \text{dia.} \times 0.80)]$. A new concrete flow-channel shall be required to be poured inside of the new or existing manhole, or the existing bench shall be cored in conjunction with the manhole wall at the calculated elevation, so as to provide proper flow characteristics through the manhole. If connection to any manhole is a drop connection, this method shall pertain to the lower point of said drop.
 - e. The inverts of all pipes entering a manhole where the existing or proposed outlet sewer is less than fourteen (14) inches in diameter shall be set by matching the elevations of the top and existing pipe(s). It shall be required that the bench of any existing manhole be cored in conjunction with the manhole wall in order to provide a situation where there is no vertical “drop” between the new pipe’s flow line and the new flow channel of the bench. If a connection to any manhole is a drop connection, this method shall pertain to the lower point of said drop.
 - f. All non-residential buildings which are a food service establishment shall be required to install a properly sized exterior grease removal system (GRS) per Fox Metro W.R.D. Pretreatment Ordinance #784 or its successor ordinances. Only G.R.S. manufacturers approved for use in the District shall be used.
 - g. All manhole chimneys shall be required to be externally sealed with an approved chimney seal per the current District specifications. Under no circumstances may the amount of concrete adjusting rings exceed 8 inches on new, rehabilitated or adjusted manholes or exceed two rings total.

- h. All manhole barrel sections shall be required to be externally sealed with a *6" or **9" wide (min.) sealing band of rubber and mastic. The band shall have an outer layer of rubber or polyethylene with an under layer of rubberized mastic (with a protective film), meeting the requirements of ASTM C-877, **type II or *type III.
- i. Manholes constructed over any sanitary sewers shall in all respects conform to District Standards. Standard "Type A or C" manholes per District specifications shall be used in all cases. As designed by the engineer, an appropriate amount of the existing sanitary sewer is to be removed so as to accommodate the new manhole. The sanitary sewer shall be repaired by using approved water main repair clamps or non-shear couplings (depending on pipe type and/or diameter) per District specifications or as required by the engineering and/or field maintenance departments.

7.4 Materials – All materials and construction shall conform to the applicable ASTM, ANSI, AWWA or other standards as set forth by the District. The use of ductile iron pipe is prohibited for the use of gravity sewers in the Fox Metro Water Reclamation District. Ductile iron pipe may be used in the construction of "casings" or "sleeves" around PVC carrier pipes, as well as in the construction of pump station piping and force mains.

7.5 Minimum Depth – The minimum cover for all building sewers is 3.5'. The minimum cover for public sewers is 6.0'.

7.6 Connection to District Interceptors – To maintain the integrity of the District's interceptor sewers by preventing damage caused by multiple connections, all connections must be approved by the District and shall be made in the following manner:

- a. For the purpose of connecting any proposed public sewer or building sewer to an existing interceptor, the nearest interceptor manhole shall be cored and properly booted per the District's specifications. This manhole connection shall be in accordance with Article III, Section 7.3d or 7.3e by either constructing a single connection at the lowest approved elevation of the interceptor manhole or by installing a new drop connection in accordance with the District's specifications.
- b. Where it is not feasible to connect a proposed public sewer or building sewer to a District interceptor manhole, an Inserta-Tee type fitting or equivalent shall be required as the means by which a connection will be constructed on the interceptor pipe. The centerline of the new sewer shall be installed at no greater than a 45 degree angle on the interceptor, above the horizontal "zero degree" point of the existing interceptor pipe, followed by a 45 degree elbow on the upstream side of the riser where the proposed line and grade of the new sewer shall commence. If the new sewer connection is a public sewer, a manhole shall also be constructed outside the District's permanent easement, no greater than 20' from the interceptor sewer.
- c. New manholes constructed on any District interceptor (dependant upon the existing and proposed pipe diameters) sewer may be allowed on a case-by-case basis and shall be designed as required by the District.

- d. In order to minimize the amount of connections to the interceptor sewer system, new public sewer mains may be required at the discretion of the District. This shall be considered on a case-by-case basis.

7.7 Design Period of Sewers – In general, sewer systems should be designed to meet the needs associated with the Ultimate Service Area as determined by the District.

7.8 Curvilinear Sewers – There shall be no curvilinear sewers constructed within the District.

7.9 Workmanship – As a minimum, all sewer pipes shall be laid in accordance with the appropriate specifications. The specifications for construction of any sewers within the District shall not be less stringent than the “Standard Specifications for Water and Sewer Main Construction in Illinois”.

7.10 Rehabilitating Existing Structures Encountered During Construction – During the planning, design, and construction phases of installing sanitary sewers, existing structures may be encountered. Developers, engineers and contractors need to be aware of the fact that any portion of any existing manhole which is exposed during construction shall be required to be rehabilitated in the following manner, at the discretion of the District:

- a. All existing manhole chimneys exposed during construction shall be required to be externally sealed with an approved chimney seal per the current District specifications. Under no circumstances may the amount of adjusting rings exceed eight (8) inches, or two (2) total, on any existing manhole. Any existing manhole exposed during construction and containing more than the allowed amount of adjusting rings, shall be brought up to current District specifications as a part of the proposed project.
- b. All manhole barrel sections being exposed during construction shall be required to be thoroughly cleaned and externally sealed with a *6” or **9” wide (min.) sealing band of rubber and mastic. The band shall have an outer layer of rubber or polyethylene with an under layer of rubberized mastic (with a protective film), meeting the requirements of ASTM C877, **type II or *type III.

7.11 Repairs of Public and Private Sewers

- a. Any existing Public Sewer or Building Sewer, which is required to be lined, shall be repaired with a cured-in-place pipe (CIPP) meeting the requirements of ASTM F1216, D5813, D790 and D2990. Said CIPP shall be installed using the inversion method only, utilizing a permeable liner material. In addition, liner resin shall be cured by hot water or steam (thermo-set) only. Building sewer repairs shall require a District repair permit, including pre and post lining repair DVD video reviews to be performed by the District’s engineering department. New liners shall not extend into the public sewer by any amount.
- b. All repairs to existing public sewers (except for new public sewers under construction which are damaged, see 7.11c below) or building sewers shall be made using non-shear Flex-Seal adjustable repair couplings as manufactured by Mission Rubber Company, or approved equal when joining pipes made of dissimilar material or where no “hub”-end exists.

- c. Where a newly constructed public sewer needs to be repaired due to damage having occurred during construction, Cascade brand (CR style), or approved equal, stainless steel repair clamps shall be required. Only repair clamps conforming to ANSI/NSF-61 shall be allowed. When damage occurs within 30 feet of a manhole, the contractor shall remove and replace the damaged main from the nearest joint to the manhole.
- d. When a dig repair to any building sewer is necessary, whether located on private property, the public right of way or both, a repair permit will need to be issued by the District prior to the commencement of any such work. Necessary work may be performed either by a bonded contractor or private property owner (*see below). This work shall be in accordance with District, specifications and must be inspected prior to backfilling the repaired area.

If a property owner chooses to repair a building sewer, the work to be performed by the actual property owner shall be limited to said property owner's parcel. Repair work done on private property by an individual property owner shall not extend into the public right of way. If repairs to building sewers are required within the public right of way, this work shall be performed by a bonded contractor.

All repairs to building sewers shall be done within strict compliance to the rules and regulations of the Occupational Safety and Health Administration (O.S.H.A.) per Article III, Section 6.

- 7.12 Designing placement of clean outs When designing or constructing six (6) inch building sewers where ninety (90) degree turns are necessary, whether as new construction or as a repair, said bend shall be constructed using two (2) forty five (45) degree elbows with a clean out at every "right" angle or as directed by the District's engineering department or inspector. When constructing or repairing building sewers, the use of ninety (90) degree elbows is prohibited.

Section 8 **Supplemental Design Requirements**

- 8.1 Overhead (or "hung") Sewers – Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. The elevation of the finished basement floor shall be a minimum of three (3) feet above the crown of the receiving sewer for all gravity service connections. Where a three (3) foot separation cannot be achieved due to a lack of depth of the public sewer, the building drain shall be "overhead", so as to achieve said separation. In such cases of "overhead" building drains, any sanitary waste from a basement shall be lifted by an approved means and discharged to the building sewer.
- 8.2 Datum – The Vertical Datum shall be indicated on all plans submitted to the District. The Datum shall preferably be based on the North American Vertical Datum of 1988 (NAVD 88). If any other Datum is used, a conversion equation shall be shown on the plans to relate the datum used to that of the NAVD 88 datum.
- 8.3 Constructing Manholes Over Existing Sanitary Sewers - When approved, new manholes constructed on any sanitary sewer shall be designed as required by the District, and will only be

allowed on a case-by-case basis. When the building sewer or public sewer is proposed to connect to a public sewer of a size which is inappropriate for an Inserta Tee, or equivalent connection, a manhole shall be built at the point of connection.

8.4 Connection of Building Sewer to Public Sewer

- a. Construction of building sewers and connections shall be in compliance with the terms and provisions of this ordinances and current specifications, whichever is most current.
- b. No person shall hereafter connect to any sewer within the jurisdiction of the District without having first annexed into the District's corporate limits, and applied for and obtained a sewer connection permit from the District.
- c. No District permit shall be issued unless it has been determined by the applicable City or Village, and/or I.E.P.A. (or other) documentation, that there is adequate capacity available in all downstream sewer facilities.
- d. Existing non-PVC building sewers or "stubs" may not be used in connection with new buildings where a District connection permit is requested. In such cases, said building sewer or "stub" will either need to be removed to the Public Sewer or to the property line and replaced with appropriate PVC material meeting the District's specifications or lined in accordance with Article III, Section 7.11a.
- e. Minimum design standards and other requirements governing materials, joints, infiltration, workmanship and maintenance for public sewers shall also apply to building sewers. For all building sewers, any horizontal or vertical deviations from the line and grade of the building sewer shall be made with standard approved bends.
- f. Where the span of any overdig at any foundation exceeds two (2) feet, a six (6) inch SDR 21 or greater PVC pipe sleeve shall be installed over the four (4) inch building drain to span the overdig area. This sleeve shall be installed into the foundation wall and rest on a minimum of two (2) feet of undisturbed soil (bedded with approved stone) and sealed at the four (4) inch building drain with two four (4) by six (6) inch non-shear sewer couplings. Building drains constructed through porch boxes shall also be constructed using the aforementioned sleeve.
- g. Vertical and horizontal separation between all potable water mains or services and any existing or proposed building sewer shall be in accordance with "77 Illinois Administrative Code, part 890, Illinois Plumbing Code", latest edition.
- h. In those instances where the building sewer is only partially constructed from the public sewer to a point other than the building to be served, such as the property line, the pipe shall be clearly marked with a standard green two (2) by four (4) marking post per District specifications. The "bell" end of said service shall be tightly plugged using a manufactured plug firmly secured in place. It shall be the sole responsibility of the contractor to make sure no infiltration or debris enters the sanitary system.

- i. All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the public agency having initial jurisdiction.
 - j. Building sewers shall enter the public sewer by way of any existing manhole, wye or tee. In the event of the absence of a manhole, wye or tee, an Inserta Tee fitting, or approved equivalent shall be installed.
 - k. Any connection to a public sewer or building sewer shall be made in accordance with methods and materials that have been approved by the Fox Metro Water Reclamation District. Indiscriminate breaking or cutting of the sewer is prohibited.
 - l. Building sewers which are connected directly to a public sewer shall be watertight, kept clean, repaired, rebuilt or otherwise kept flowing freely by the property owner. This shall include any portion of the building sewer which may lie within the public right of way or easement. The District shall not be responsible for any portion of the building sewer which lies upstream of the wye or tee at the public sewer.
 - m. For residential or Non-residential building construction, whether the proposal consists of a new building or an addition to an existing building, one and only one building sewer connection to the public sewer shall be permitted for the entire structure. At the District's discretion, exceptions may be granted in the following cases:
 - 1. The necessary internal or external slope and/or cover depth requirements of the building drain and/or building sewer do not meet minimum District specifications.
 - 2. A building addition with a proposed connection of a new building drain to the existing building drain which would be detrimental to any area of the existing building such as office area(s), production area(s) or tenant(s). In any case where the District determines that it is not reasonably feasible for a new building drain to connect to the existing building drain, an external connection of a new building sewer to the existing building sewer may be allowed.
- Item "m" note: Only at a point when the scenarios described within items m1 or m2 above are not deemed as feasible by the District may an additional building sewer be allowed to be constructed to the public sewer.
- n. More than one building sewer may be installed to another single, privately maintained (6" or 8") building sewer owned by the same person, thence discharging to the public sewer, if said buildings are proposed on a single property and do not have separate building frontage access to said public sewer. This may be approved by the District on a case-by-case basis.
 - o. All building sewers shall be designed to convey the design flow, under gravity conditions, without surcharge.

- p. The length of a building sewer may vary, as deemed reasonable by the District. If the distance from the building drain to the public sewer exceeds 100 feet, a cleanout shall be installed at each 100 foot (maximum) interval. The District reserves the right to limit the length of any building sewer. In such event, a sewer extension may be required.
- q. For information regarding the maximum riser depths allowed when constructing sanitary sewers in the District, refer to Article III, Section 8.5d.
- r. Building sewers shall be six (6) inches in diameter. In the event a larger size is requested, appropriate documentation shall be submitted for review. The District reserves the right to allow only six (6) inch building sewers.

8.5 Extensions of Sewers

- a. To provide adequate sewer service for possible future connections, the extension of any existing eight (8) inch or larger sewer within the public right of way shall be treated as a public sewer extension and itself be a minimum of eight (8) inches in diameter.
- b. Public sewer extensions shall be constructed so as to extend to the furthest point of the parcel or development being serviced and shall terminate at a manhole. Design criteria shall include proper line, grade, depth as well as maximum sewer segment lengths.
- c. Public sewer extensions shall be designed to provide adequate capacity and maximize gravity service to all potential properties ultimately to be served by the sewer extension. The diameter shall not be larger than the existing downstream sewer into which it discharges. Newly proposed public sewers with a diameter greater than that of the existing system are occasionally proposed in order to maximize the service area of said existing sewer system. This shall only be considered when flows from the proposed public sewer do not exceed the capacity of the existing system or cause future sewer extensions which have already been considered as a part of the ultimate service area for the existing system to exceed the capacity of the downstream sewer. Proposals of this nature shall include calculations prepared by the design engineer, as well written approval by the municipality having initial jurisdiction. Other information may be required at the District's discretion. Proposals of this nature shall only be considered on a case-by-case basis.
- d. As a part of the construction of any public sewer where gravity connections are desired, the maximum depth of any riser pipe shall not exceed nine (9) feet in depth. Where any developer requires overhead sewer connections for any building drain, the maximum depth at which any riser shall be constructed at the property line is between six (6) and seven (7) feet. Vertical and horizontal separation between all potable water mains or services and any existing or proposed building sewer shall be in accordance with "77 Illinois Administrative Code, part 890, Illinois Plumbing Code", latest edition.
- e. All proposed public sewers shall be designed to the appropriate size, depth and gradient practicable to reasonably provide service for the Ultimate Service Area(s), as well as to provide for gravity connections from all of the properties which are potentially tributary

- to the sewer extension as directed by the District. The design engineer may be required to provide documentation if said sewer is not proposed as required above.
- f. All sewers, eight (8) inches and larger, whether public or private, shall be televised by the District and paid for by the developer at a rate described in Article II, Section 4 of this Ordinance. Upon commencement of televising, the developer and contractor shall provide proper access to each new manhole.
 - g. All sags, leaks, pipe defects, or other related issues with the newly televised sewer shall be repaired by the developer's contractor at the discretion of the District. For approval of repairs, these areas will either need to be re-televised by the District when required by the engineering department or confirmed in writing as completed by the appropriate municipality. At the District's discretion, connection permits may be withheld if confirmation of completed repairs cannot be confirmed.
 - h. No variance in the line and grade of any proposed public sewer shall be made between manholes. No bends, elbows, or fittings shall be used under any circumstances.

8.6 Special Provisions

- a. Failure to Perform Satisfactorily – Any contractor, who, in the opinion of the District, fails to perform in accordance with the expectations, rules and regulations as provided hereunder, shall be prohibited from performing work in the District. The District reserves the right to revoke or disallow any contractor's bond or contract, which shall result in a discontinuation of work in the District.
- b. Drain Tile Replacement – In the event farm drain tiles are encountered during construction, they are to be marked and replaced with perforated PVC or plastic pipe of the same diameter as the damaged tile. Discharge from drain tiles shall be directed toward an approved Storm Sewer or Natural Outlet. Modification to drain tiles shall not allow the discharge from drain tiles to, directly, or indirectly enter the sanitary sewer system. Drain, roof and footing tiles shall not be connected to the sanitary sewer system, building drain or building sewer.

8.7 Easements – All sewer extensions, including District interceptors, shall be located within either a public right of way or easement, which shall be granted to either the Fox Metro Water Reclamation District, typically for sanitary sewers 15-inch in diameter or greater, or to the municipality for sanitary sewers 14-inches or smaller. As a minimum, all District interceptor easements shall contain the following provisions:

- a. Easements for District interceptors shall be exclusive and granted specifically to the Fox Metro Water Reclamation District or its successors unless authorized by the Board.
- b. No other utilities or structures shall be permitted within the District easement, except to cross the easement at absolute right angles, unless otherwise approved by the District.

- c. Easements may be utilized by the property owner for paved parking and bituminous trails subject to District approval, as long as acceptable access to all manholes and structures is maintained at all times. The District shall approve all interceptor access designs.
- d. The easement shall be graded so that the ground surface does not exceed a six percent (6%) gradient in all directions, unless otherwise approved by the District. No subsequent changes in grading shall be undertaken without the approval of the District.
- e. No retaining walls shall be placed within or across the easement.
- f. No permanent pool of water shall be stored within the easement. Temporary stormwater detention may be permitted within the limits of the easement, with the approval of the District, however all manholes shall remain accessible at all times. Manholes within temporary storm water detention facilities must have rim elevation(s) twelve (12) inches above the 100-year flood elevation, watertight lock-type covers, approved chimney seals, and wrapped barrel sections per Article III, Sections 7.3h & 7.10.
- g. Landscaping within any District easement is prohibited without formal review and subsequent approval by the District of the proposed landscape design. It is vital for all District personnel to be able to access the entire length of any interceptor easement for the purpose of maintaining the integrity of the sanitary sewer system. Fences, monuments, and any other man-made structures, proposed to be installed on or across a District easement, shall also require formal review and approval by the District.

Section 9 Construction Within the Flood Plain

- 9.1 Issuance of Permit – No permit will be issued for sewer construction within any municipality lying totally or partially within a flood plain, unless the municipality has adopted a Flood Plain Ordinance, which has been filed with and approved by the District as to minimum requirements for the protection of the health and welfare of the public.
- 9.2 Conformance with Flood Plain Ordinance – All projects constructed within a flood plain area shall conform to the requirements of the Flood Plain Ordinance adopted by the local government having jurisdiction over the area in which the project is located. Among other requirements, the local ordinances generally provide that manholes within the flood plain must have rim elevation(s) twelve (12) inches above the 100-year flood elevation, watertight lock-type covers, approved chimney seals, and wrapped barrel sections per Article III, Sections 7.3h & 7.10.
- 9.3 Limits of Flood Plain – The 100-year flood crest elevation and the limits of the flood plain shall be as established by the local Flood Plain Ordinance based on USGS maps. The portion of the project lying within the flood plain shall be clearly indicated on the overall plan.

Section 10 Storm Water and Protection of Sanitary Sewers

- 10.1 No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off, sub-surface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer both during and after construction of the sanitary sewer improvements. All new sewer construction shall provide two separate and distinct sewer

systems; one for the collection of storm water and the other for the collection of sanitary wastes. To prevent any possible infiltration or inflow from entering the existing downstream sanitary sewer system, a factory-made plug shall be placed in the farthest downstream manhole of the proposed improvements by the contractor (providing the placement of any plug does not interrupt the sanitary service of any existing user of the sewer system). This plug is to be removed only upon approval by the District and only after any accumulated water and/or construction drainage has been properly removed from the pipe. Under no circumstances will new construction be allowed to drain into the sanitary sewer system.

10.2 The above requirements and prohibitions shall include, but not be limited to the following:

- a. Downspouts – All downspouts and roof drains shall discharge onto the ground or be connected to a storm sewer system. No downspouts or roof drains shall be connected to the sanitary sewer system.
- b. Footing Drains – No footing drains or drainage tiles shall be connected to the sanitary sewer system.
- c. Sump Pumps – Sump pumps installed to receive and discharge ground waters or other storm waters shall be connected to the storm sewer or discharge onto the ground (or grass area if possible). Ejector pumps installed to receive and discharge floor drain flow or other wastewater shall be connected to the sanitary sewers. A sump pump shall be used only for the discharge of storm water and shall not be discharged to a public sanitary system.
- d. Window Well and Area Drains – No window well or area drains shall be connected to the sanitary sewer system. Area drains include, but are not limited to, dumpster drains, stairwell drains, yard drains and dock drains.
- e. Drain Tiles – Discharge from drain tiles shall be directed toward an approved storm sewer or natural outlet. Modification to drain tiles shall not allow the discharge from drain tiles to enter the sanitary sewer system. Drain tiles shall not be connected to the sanitary sewer system.
- f. Condensation – Any amount of Unpolluted Water proposed to be discharged to the public sewer system which has been deemed as excessive by the District, shall be cause to discharge such flows into a storm sewer or other watercourse.

10.3 Completion of Storm Sewer System – The construction of the proposed storm sewer system shall be completed before the sanitary sewer system is put in service. When compliance with this requirement may cause an undue hardship to the Permittee, said Permittee may choose to apply to the District Manager for an Administrative Waiver per Article III, Section 4.

10.4 Sewer Construction within a Combined Sewer System

- a. New Residential, or Non-residential building construction in areas served by combined sewers or areas whose storm water drainage or wastewater or both are tributary to areas

served by combined sewers are subject to the following additional construction specifications:

1. Connections to combined sewers shall be designed in such a way as to minimize and/or delay inflow contribution to the combined sewer system. This may be accomplished by constructing storage facilities or alternative drainage systems.
2. New building construction shall be designed in such a way that the building wastewater and/or industrial waste collection system is distinct from the building and site storm water runoff conveyance system, in order to facilitate the disconnection of the storm water runoff conveyance system from the combined sewer should a storm sewer become available. The storm water runoff conveyance system may be rejoined in the public right-of-way to the combined sewer if no storm sewer is available.
- b. In the event a storm sewer is constructed in close proximity to a parcel of property that currently discharges inflow into a combined sewer, the property owner shall re-route this inflow connection to the newly constructed storm sewer. Said connection shall be completed within twelve (12) months after completion of the new storm sewer.
- c. A general description of the geographic areas of combined sewer systems within the District's boundaries shall be on file with the local municipality, municipal corporation, utility company, township government or other governmental body having jurisdiction of said combined sewer systems.

Section 11 **Submittal Requirements**

The applicant shall submit the documents necessary as listed in this article:

11.1 Civil Engineering Plan Submittals: Subdivisions/Extensions/New Building Site Design – Plans, drawings and documents shall be submitted to the District at the applicant's sole expense and shall include the following information:

- a. A complete set of plan and profile drawings, signed and sealed by a Professional Engineer registered in Illinois, shall have the appropriate "pre-review" checklist comments incorporated into the initial submittal. Said checklist, with each item marked off, shall be included with the plan set. Plans shall contain the following information:
 1. The length, size and type of pipe, horizontal location (station numbers), elevations of new and existing inverts, distances and slopes between manholes shall be clearly indicated, and manhole types and locations shall be noted along with unique numbers assigned to each for identification.
 2. All existing and proposed underground structures or facilities that may affect the location of the sewer lines or are in the general area of construction.
 3. Elevation of the existing and proposed ground surfaces over the sewer centerline.

4. The District's specifications, general notes, notice and details shall be incorporated into all plan submittals where any sanitary sewer construction is proposed.
5. Site location map, showing the project site or area in relation to the surrounding area.
- b. An approved preliminary plan and plat shall be submitted for the District's use in determining the gross density and applicable connection fee charges for the subject site.
- c. All projects submitted to the District for review where a sewer extension is proposed shall be accompanied by two (2) copies of the original applications to the I.E.P.A.'s Division of Water Pollution Control. These applications shall indicate design calculations including population equivalents (PE), peak design flow, pipe slope, pipe capacity, minimum and maximum pipe cover etc. These applications shall be submitted to the District only after all appropriate signatures have been procured by all other parties.
- d. An accurate map depicting the Immediate and Ultimate service areas shall accompany all subdivision or sewer extension I.E.P.A. permit applications.
- e. All subdivision and sewer extension plans shall contain plan and profile views for all public sewers. Recommended scales for these plans are as follows:
Horizontal - 1 inch = 50 feet
Vertical - 1 inch = 5 feet
- f. All civil engineering plans shall have an overall utility plan showing all of the proposed public sewers. This plan shall be of a readable scale and have sanitary sewer manhole numbers which are consistent with those shown on the plan and profile pages.
- g. Where an existing District interceptor exists within a proposed development, a grading plan shall be submitted for review which depicts the location of the interceptor and applicable easement. Within this area, the exposed areas of all interceptor manholes shall be rehabilitated and adjusted to grade per District specifications. In addition, no slope within any District easement shall exceed 6% in any direction.
- h. Where an existing District interceptor exists within a proposed development, a landscaping plan shall be submitted for review, which depicts the location of the interceptor and applicable easement. Any landscaping within an exclusive District easement must be approved by the District. Constant access to all manholes must be attainable at all times throughout the length of the easement.
- i. All multi-tenant buildings shall be required to install a separate grease line per Fox Metro Pretreatment Ordinance #784. An appropriately sized grease removal system (grease trap) and inspection manhole shall also be required. All buildings containing a single user that is a food service establishment shall install an approved type and size grease trap and inspection manhole per Ordinance #784.

- j. Where any proposed building is not a part of a planned unit development (P.U.D.), an appropriate plat of survey, signed and sealed by a Professional Land Surveyor, shall be submitted to the District.
- k. A final plat of subdivision shall be submitted prior to approval of the project. In order for the District to allow connections to any newly constructed public sewer, the developer shall submit a recorded plat of subdivision and all testing.

11.2 Architectural Plan Submittals: New or Existing Buildings – The District requires that engineering plans, site plans, plumbing drawings and documents be submitted and filed with the District when making application for a District sewer construction permit. Variances from the procedure shall be submitted in accordance with Article III, Section 4.

- a. All Architectural plans for new buildings shall have the appropriate “pre-review” checklist comments incorporated into the initial submittal. This checklist, with each item marked off, shall be included with the plan set.
- b. Projects where Architectural plans are submitted to the District for review may be required to be accompanied by applications to the Illinois Environmental Protection Agency’s Division of Water Pollution Control. These applications shall only be submitted to the District when domestic flows are expected to exceed 15 P.E. per day and/or non-domestic waste is proposed. These applications shall be submitted to the District only after all appropriate signatures have been procured by all other parties. Where allowed, schedule F.T.P. (Fast-Track Permit) may be submitted along with form WPC-PS-1. Other cases will require Schedule A/B to accompany WPC-PS-1, along with all other applicable schedule forms.
- c. When, in the opinion of the applicant, there is no need for an I.E.P.A. permit to be filed, the applicant shall submit a letter to the District stating the anticipated average and maximum daily flow of wastewater from the new connection and such other information as the District requires. Information pertaining to the discharge or lack of discharge of any potential non-domestic wastewater flows shall also accompany this request.
- d. All Architectural submittals shall be accompanied by appropriate plumbing plans, including riser diagrams. Equipment schedules for Non-residential facilities such as Food Service Establishments shall also be submitted for review.
- e. A separate grease line and grease removal system may be required for all Non-residential facilities per Fox Metro Pretreatment Grease Ordinance #784.
- f. No garbage grinders shall be installed in any Non-residential facilities. The purpose of which is to reduce not only the amount of food debris entering any given grease removal system, but also the frequency in which a G.R.S. must be cleaned. In addition, this also aids in reducing the Biochemical Oxygen Demand (BOD) & Total Suspended Solids (TSS) loading at the District’s plant.

11.3 Illinois E.P.A. Permit Application – The applicant and design engineer shall sign and submit the required I.E.P.A. documents to the municipal government which has initial jurisdiction. After all

other remaining parties have signed these applications, the municipal government shall endorse said documents and the applicant shall then submit two (2) sets of original applications to the District for evaluation, review and counter-endorsement. After any applicable fees have been paid, the District shall retain one (1) original application and return the remaining one (1) original application to the applicant or design engineer, who shall forward them to the Springfield office of the Illinois EPA. The District reserves the right to retain said I.E.P.A. documents until any/all possible issue(s) deemed important by the District, such as service area, size of pipe, depth of pipe and payment of fees for example, have been resolved.

- 11.4 Consultation with the District – The design engineer is encouraged to consult with the District to insure adequacy and conformance of the drawings to the applicable requirements. In cases which involve the design of treatment facilities and any project involving industrial waste, the design engineer should confer with the District prior to the preparation of the final plans and I.E.P.A. applications. Attach appropriate “schedule” form where applicable.
- 11.5 Seals and Signatures – The seal and signature referred to shall be those of the Professional Engineer responsible for the design. The seal shall be affixed on the title sheet. Where no index sheet is provided, the seal and signature shall be affixed on each sheet.
- 11.6 Permits for Construction
- a. No public sewer construction shall commence without both, an approved I.E.P.A. Permit and District plan approval letter on file.
 - b. No building construction shall commence without a District connection permit and, if applicable, an approved I.E.P.A. Permit on file.

Section 12 Construction

- 12.1 Rules and Regulations – Pursuant to Article III, Section 1, any person, firm or municipality constructing, repairing, rehabilitating, or maintaining any new or existing sanitary sewers, building sewers or building drains tributary to the District shall be subject to the rules and regulations as set forth by this ordinance per Article III, Section 6.
- 12.2 All final engineering and/or building plans, which are submitted to the local municipality for their review, shall also be submitted to the District for review. Once the District’s review has been completed, a District “yellow card” shall be required by the local municipality in order to release their building permit.
- 12.3 All sanitary sewer construction shall have an I.E.P.A. permit and plan approval letter on file at the District prior to commencing any construction
- 12.4 Advance Notice – All persons, firms, or municipalities shall notify the District a minimum of forty-eight (48) hours prior to starting any construction, connections, repairs, or rehabilitation as required or approved by the District.
- 12.5 Conformance to Plans and Specifications

- a. All construction, including bedding stone, fittings, pipe, chimney & manhole seals and testing shall be in accordance with District approved plans and specifications.
 - b. The I.E.P.A. and/or District permit, together with an approved set of plans and specifications for the project, shall be kept on the jobsite at all times during construction until a final acceptance letter has been issued by the District.
 - c. Any change from the approved plans and specifications, or additions made to the plans thereof, whether just prior to construction, or during, shall become subject to an immediate re-submittal and approval by the District.
 - d. If any utility is damaged or broken during excavation, the contractor shall immediately notify the municipality having initial jurisdiction, the owner, as well as the District. Any broken or damaged municipal or private utility will require timely repair, approval and inspection by the governing municipality and the District.
 - e. Where a new home is constructed on any lot where the existing sanitary service is made of rigid materials such as vitrified clay, cast iron, or ductile iron, said service shall be required to be removed to the public sewer and replaced with PVC per Article III, Section 8.4d or lined per Article III, Section 7.11a.
 - f. The use of ductile iron pipe (D.I.P.) is prohibited for the use of gravity sewers in the District. If D.I.P. is proposed on the plans marked as “FOR CONSTRUCTION”, the contractor shall contact the District’s engineering department at (630) 301-6882. All D.I.P. which is installed shall be removed and replaced with the appropriate type of P.V.C. meeting District specifications.
 - g. No glued joints shall be allowed outside the foundation wall.
- 12.6 The local municipality having jurisdiction shall be contacted to check the public sewer before any individual or company rods or cleans a building sewer. This only applies in “back up” situations to insure the public sewer is not surcharged.
- 12.7 Any person, firm, company or municipality, that violates the District’s rules and regulations, or fails to construct according to the District’s approved plans and specifications, shall be subject to fines and fees per Article III, Section 15 of this Ordinance. This may also include the costs associated with the repair and/or replacement of newly constructed infrastructure to meet District approved plans and specifications.

Section 13 Sanitary Sewer Testing and Approval

- 13.1 Air, deflection and vacuum testing of all sanitary sewers eight (8) inches in diameter and larger, including all public and private manholes shall be required. Air testing shall be performed in accordance with ASTM F1417 “Standard Test Method for Installation Acceptance of Plastic Gravity Sewer Lines Using Low-Pressure Air” and District requirements. Deflection testing shall be performed in accordance with the “Standard Specifications for Water and Sewer Main

Construction in Illinois”, latest edition, and District requirements. Vacuum testing shall be performed in accordance with ASTM C1244 “Standard Test Method for Concrete Sewer Manholes by the Negative Pressure (Vacuum) Test” and District requirements. In case of conflict between District and I.E.P.A. testing specifications, the more stringent requirement will apply.

13.2 Schedule for Submitting Test Results

- a. Air testing of all sewers eight (8) inches in diameter or larger shall commence immediately after the completion of construction of the entire system. The prompt submittal of all passing air test results to the District will result in the immediate scheduling of TV testing of said new sewers by the District. If televising results indicate that any sewer is in need of repair, said sanitary sewer repairs should be completed before other utilities (curbs, roads, sidewalks, storm sewers and water mains etc.) are installed, thus allowing the developer or contractor to avoid the expense(s) related to replacing and/or repairing this infrastructure.
- b. Manhole vacuum testing shall commence on any newly installed manhole(s) immediately after completion of the sewer system, but only after all passing air test results have been received and approved by the District.
- c. Mandrel testing shall commence after all of the newly constructed sewer system has been installed for at least thirty (30) days. Immediately after completion of testing, passing mandrel test results shall be submitted to the District for review and acceptance.

The District may withhold the final twenty percent (20%) of all connection permits within any subdivision or Planned Unit Development (P.U.D.) until passing manhole vacuum test results and mandrel test results have been received for the entire system.

- 13.3 T.V. Inspection – All sanitary sewers eight (8) inches in diameter or greater shall be subject to closed circuit television inspection by the District. Any faulty construction, as determined by the District, shall be documented in writing to the owner/developer and subsequently required to be excavated and repaired to the satisfaction of the District.

- 13.4 Scheduling of Television Inspection – The District shall schedule televising of all sewers eight (8) inches in diameter or greater. Prior to televising, the developer shall flush and clean all sewers. The developer shall also be responsible for providing a smooth, level area of sufficient width along the sanitary sewer system with access to each manhole for televising and flushing equipment. Said path shall be capable of supporting the televising and flushing equipment vehicles. The District shall be notified by the municipality or developer that the system is completed, properly cleaned and prepared for televising. The developer may incur additional charges for remobilization of the District’s contractor if proper access to all manholes is not provided and/or for cleaning of sewers by the District’s contractor if the sewers are found not to be clean during televising.

The District shall provide notification as to the outcome of said television test in the form of a District “telefinish” letter. This letter shall outline any problem area(s) to be repaired by the

contractor. The District shall not issue final connection permits for any project where repair-related issues are unresolved.

13.5 Inspections for Building Sewers

- a. The contractor shall schedule an inspection before digging. The District will then check the permit status and provide information to the contractor about any special requirements. Inspections must be scheduled at least 24 hours before the work is performed. Contractors shall call 630-301-6811 during the hours of 8:00 a.m. & 4:30 p.m.
- b. A one hour notification is required if the contractor is delayed in completing the work or wishes to cancel an inspection. Inspections scheduled on the same day (if available) shall be charged a \$50.00 fee. Water and sewer service inspections for single-family homes shall be performed at the same time. A \$50.00 fee shall be charged for return inspections (not including multi-family), failed inspections, failure to cancel, or incomplete work at appointed time. Holiday and weekend inspections are available at the discretion of the District's Plumbing Inspector, and are subject to a minimum charge of \$150.00 per Article II, Section 4, which is due prior to the inspection. The contractor shall call 630-301-6811 during the hours of 8:00 a.m. & 4:30 p.m. For after hours emergency repairs, the contractor shall call 630-892-4378, and follow the prompts.
- c. The District performs all water service inspections for the City of Aurora, Village of Montgomery, Village of Sugar Grove and Village of North Aurora. Inspection requirements shall consist of the following:
 1. All water connections shall be a minimum of one (1) inch in diameter and shall be Type K copper or D.I.P.
 2. Each water service shall be in its own trench with ten (10) feet (minimum) of horizontal separation from the public sewer or building sewer, and be at a minimum depth of five (5) feet.
 3. Water shut-offs shall be placed outside of driveways, curbs, sidewalks, or any surfaced area.
 4. Fire lines, usually constructed of D.I.P., shall not be inspected by the District.

13.6 Repairs – All defects in material and/or workmanship noted during inspection shall be repaired by the contractor, to the satisfaction of the District, before release is granted and the sewer accepted.

13.7 Record Drawings – Within ninety (90) days of the issuance of the District “telefinish” letter, one complete copy of the record drawings on compact disc will need to be filed with the District. Record drawings shall indicate any deviations from the approved plans based on the completed improvements. Conditions to be noted shall include, but not limited to: deviations in size, slope, materials, invert and rim elevations and horizontal locations of the sanitary pipe, connections, manholes, or other appurtenant structures. Information relative to other existing features or

constructed improvements which may impact the operation or maintenance of the sanitary sewer system shall also be noted on the record drawings. These shall include, but not be limited to: existing or proposed utilities and appurtenances, overland flow routes, structures, pavement or buildings.

District connection permits shall not be issued at the District's discretion for any project where record drawings are not received within the specified period. For any sewer system project where record drawings or other requirements are delinquent, future I.E.P.A. permit applications may be held at the District's discretion for any tributary area or non-tributary area(s) proposed to be serviced by the same developer.

Record drawings shall be prepared under the direction of and certified by a Professional Engineer registered in the State of Illinois. These drawings must be reviewed and approved by the District prior to the District accepting the completed sewer improvements.

Section 14 Bonds and Permits

- 14.1 Sewer Connection Bond – Any firm or contractor who is performing sewer work on District-owned public sewers or private building sewers, whether new construction or a repair, shall be required to provide a license and permit bond to the District in the amount of \$25,000.00. On this bond, the firm or contractor must be listed as performing work such as: “excavating”, “sewer and water construction” or “sewer lining” etc. This bond shall be on file with the District prior to the issuance of any permit and subsequent commencement of any work. This license and permit bond with the District is totally separate from any bonds posted with any other agency. Said bond may be returned or bonding agency refused at the discretion of the District. The bonded contractor is required to install or repair according to District specifications, Standard Specifications for Water and Sewer Main Construction in Illinois and the Illinois Plumbing Code.
- 14.2 Excavation Permits – Any firm or person doing work of any kind which requires the disturbance of any portion of a dedicated area, easement or right-of-way shall obtain a permit from the governing agency, which has jurisdiction. A copy of this permit shall be included in the submission for a District Permit.
- 14.3 Connections Involving Private Properties – When the proposed sewer connects to a private sewer, written approval shall be submitted by the owner of the private sewer to which the connection is proposed, along with a copy of the maintenance agreement. A copy of any easements or right-of-way agreements necessary for construction of any proposed sewer shall be submitted with the application for permit.

Section 15 Violations, Fines and Penalties

- 15.1 No person, firm, or municipal corporation, except the District, shall make any connection to or extension of any sewer system tributary to the District sewer system, including but not limited to the sewer systems of the City of Aurora, the Village of North Aurora, the Village of Sugar Grove, the Village of Montgomery, the Village of Oswego, portions of the United City of Yorkville and City of Batavia, and such other municipality, without first obtaining a permit from

the District for any private building sewer or plan approval and I.E.P.A. permit for any public sewer extension.

- 15.2 Any unapproved domestic waste discharge to a public sewer, of any type, by any individual, firm or municipality, shall be subject to penalties under this Ordinance, as well as the District's Industrial Pretreatment Ordinance #517 and Grease Ordinance #784. Said penalties shall be in addition to the cost to treat this extraneous flow at the District's wastewater treatment facilities.
- 15.3 Any discharge of any storm water, surface water, ground water, roof run-off, sub-surface drainage, uncontaminated cooling water, or unpolluted industrial process waters by any individual, firm or municipality, is also prohibited and shall be subject to penalties under this Ordinance, as well as the District's Industrial Pretreatment Ordinances 517 and 784. Said penalties shall be in addition to the cost to treat this extraneous flow at the District's wastewater treatment facilities.
- 15.4 The District shall seek prosecution to the full extent of the law from the appropriate States Attorney, State or Federal Agency for anyone damaging, vandalizing, or destroying any District property (including but not limited to: collection systems, treatment facilities, lift stations or any tributary collection systems) that directly or indirectly jeopardizes the public health and safety.
- 15.5 The Attorney for the District shall, upon request of the Board of Trustees, bring an action for an injunction against any person, corporation, partnership or municipal corporation violating the provisions of this ordinance.
- 15.6 Actions to impose a fine for violation of a District Ordinance or resolution adopted under authority of this Ordinance shall be brought in the corporate name of the District as plaintiff. Such actions shall commence with a complaint.
- 15.7 Any person, corporation, partnership, or municipal corporation that violates any of the provisions of this Ordinance shall be subject to penalties up to a maximum fine of \$3,000.00 for each violation. Fines shall double for each occurrence thereafter. Each day a violation continues after notification by the District shall be considered a separate offense. The maximum fine may double with each subsequent occurrence by the same person, corporation, partnership or municipal corporation and may result in incarceration per state statutes. Usage, cleaning and treatment costs may also be levied accordingly for all extraneous water releases into the sanitary sewer system. Repeat violations may also result in the revocation or rejection of the Sewer Connection Bond and denial of future work within the District's service area.

Below is a listing of the most common violations that occur in the District's service area.

- a. Mainline sewer construction without forty-eight (48) hour notice.
- b. Mainline sewer construction without an I.E.P.A. permit issued to the District.
- c. Mainline sewer construction without an issued District approval letter
- d. Construction of building sewers or repairs without District and/or I.E.P.A. permit.

- e. Construction of building sewers or repairs without inspection.
- f. Construction of building sewers or repairs without a bond.
- g. Unsecured system (no plug) - All new sanitary construction must be securely plugged per the approved plan. This plug must be maintained to prevent unnecessary flow or discharge into the existing sanitary system. This plug may only be removed after all construction drainage has been properly removed and complete air and vacuum test results have been approved by the Engineering Department.
- h. Construction using unapproved plans.
- i. Ground water release into a public sewer - No ground water, run off, or surface water is allowed to enter any sanitary sewer system before, during or after any building drain, building sewer or sanitary sewer construction, installation or repair. Draining or pumping ground or surface water into any sanitary sewer system is strictly prohibited.
- j. Storm water connections - Footing tile, sump pumps, under floor drains, down spouts, yard drains or any other connections for draining ground water, run off, or surface water directly or indirectly into sanitary sewers are expressly prohibited.
- k. Construction debris entering the sanitary system - No aggregate, dirt, clay, debris, or foreign material is allowed to enter any sanitary sewer system. In addition to the above penalties, any individual, contractor or company causing said material to enter an existing sanitary sewer system shall clean and remove this debris from the system at their sole expense, and under the supervision of the municipality or their representative. Furthermore, should it be determined that this material caused a system surcharge or backup resulting in property loss or damage, this same responsible party, individual or company shall make proper restitution, restoration, clean up and disinfection as may be required for proper health and safety.

ARTICLE IV

General Provisions

Section 1 **Right of Entry for Inspections.**

For the purpose of making the inspections herein provided for and for carrying out and enforcing the terms and provisions of this article, the District by its duly authorized engineers, chemists, inspectors, investigators, accountants, attorneys and agents, at any and all reasonable times, shall have access to and the right to inspect the plants, places of business, offices, dwellings and premises of any and all persons subject to the terms of this article and shall have access and the right to inspect the outlets, sewers, drains, and other instrumentalities of any factory, industry, garage or other place of business or dwelling for the purpose of ascertaining whether any extraneous flows, waste, industrial waste or other liquids or solids prohibited by or coming under or subject to the terms of this article are produced by any such person and for the purpose of determining whether the same are being discharged, deposited or are finding their way either directly or indirectly into the Fox River or any other watercourse within the boundaries of the District, or into any sewer or the sewer system, or for any other purpose necessary or proper for the carrying out and enforcing of the terms and provisions of this article.

Written request for access shall be made by the District. At the time of entry, proper identification will be required for all District personnel. The District has the right to investigate any extraneous flows entering any system from any source. Should access be denied to investigate and determine the source of these flows, a surcharge of no less than \$50.00 per month shall be levied on the sewer use bill to defray treatment costs until the source has been determined and eliminated through due process.

At the request of the District Manager, the District Attorney shall seek an administrative search warrant for court authorization to enter the premises which are denied pursuant to any request made as provided hereinabove.

Section 2 **Prosecution for Damages**

The forgoing penalties and provisions therefore shall not be held or construed as constituting a bar, release or waiver by the District to the prosecution by the District for any civil damages it may sustain because of violations by any person of the provisions hereof, and where it shall appear that such violation occasioned damage to the appurtenances, machinery, equipment and buildings of the District.

ARTICLE V**CONSTITUTIONALITY****Section 1** **Severability**

If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

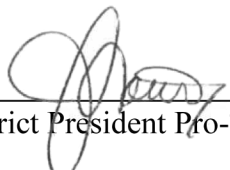
Section 2 **Repeals**

All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

Section 3 **Effective Date**

This ordinance shall be in full force and effect upon its adoption and publication as required by law.

ADOPTED BY THE BOARD OF TRUSTEES OF THE FOX METRO WATER RECLAMATION DISTRICT, KANE, KENDALL, WILL AND DUPAGE COUNTIES, ILLINOIS, THIS 19th DAY OF JANUARY, 2011.



District President Pro-Tem

AYES

4


NAYS

0

ABSENT

1

Attest:



District Clerk