

CHAPTER 18

VILLAGE SEWER CODES

ARTICLE I: GENERAL

Sec. 18-0. GENERAL - APPLICABILITY.

The provisions of this Chapter shall apply to all persons residing in or visiting the Village of Orangeville, present and future, who have any stated, implied or incurred jurisdiction, liability or responsibility regarding the implementation, enforcement, and compliance with any and all of the articles of this Chapter.

Sec. 18-1. GENERAL - PURPOSE.

(A) The purpose of this Chapter is to establish reasonable and comprehensive sewer Codes for the Village regarding sewer systems and sewage.

(B) It is intended that these regulations shall help protect and preserve the character of the Village with a consideration toward conserving the community's public health, safety, and welfare, while providing the best possible wholesome community environment.

Sec. 18-2. GENERAL - TERMS and DEFINITIONS.

For the purposes of this Chapter, the following definitions shall apply to the terminologies indicated whenever they are used in this Chapter, unless the context clearly indicates or requires a different meaning:

ALiquot. The term "Aliquot," when used herein, shall mean an exact divisor or factor of a quantity, or an exact number of times.

B.O.D. (denoting Biochemical Oxygen Demand). The term "B.O.D.," when used herein, shall mean the quantity of oxygen utilized in biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at 20° C, expressed in milligrams per liter.

BUILDING DRAIN. The term "Building Drain," when used herein, shall mean that part of the lowest piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer or other approved point of discharge, beginning five-feet (5') outside the inner face of the building wall.

BUILDING SEWER. The term “Building Sewer,” when used herein, shall mean the extension from the building drain to the public sewer or other place of disposal.

COMBINED SEWER. The term “Combined Sewer,” when used herein, shall mean a sewer intended to receive both wastewater and storm or surface water.

EASEMENT. The term “Easement,” when used herein, shall mean an acquitted legal right for the specific use of land owned by others.

EFFLUENT CRITERIA. The term “Effluent Criteria,” shall have the same definition as in any applicable NPDES permit.

FLOATABLE OIL. The term “Floatable Oil,” when used herein, shall mean oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. Wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

GARBAGE. The term “Garbage,” when used herein, shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

INDUSTRIAL WASTE. The term “Industrial Waste,” when used herein, shall mean any solid, liquid, or gaseous substance discharged, permitted to flow, or escaping from any industrial, manufacturing, commercial, or business establishment or process or from the development, recovery, or processing of any natural resource as distinct from sanitary sewage.

MAY. The term “May,” when used herein, shall mean something is permissive.

MILLIGRAMS PER LITER. The term “Milligrams Per Liter,” shall mean a unit of the concentration of water or wastewater constituent. It is 0.001 g of the constituent in 1,000 ml of water. It has replaced the unit formerly used commonly, parts per million, to which it is approximately equivalent, in reporting the results of water and wastewater analysis.

NATURAL OUTLET. The term “Natural Outlet,” when used herein, shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

pH. The term “pH,” when used herein, shall mean the logarithm (base 10) of the reciprocal of the hydrogen-ion concentration expressed by one of the procedures outlined in "Standard Methods."

P.P.M. The term "P.P.M.," when used herein, shall mean parts per million by weight.

PERSON. The term "Person," when used herein, shall mean any and all persons, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency, or other entity.

POPULATION EQUIVALENT. The term "Population Equivalent," when used herein, shall mean a term used to evaluate the impact of industrial or other waste on a treatment works or stream. One population equivalent is one-hundred-gallons (100gal) of sewage per day, containing .17 pounds of B.O.D. or .22 pounds of suspended solids.

PRETREATMENT. The term "Pretreatment," when used herein, shall mean the treatment of wastewaters from sources before introduction into the sewerage works.

PROPERLY SHREDDED GARBAGE. The term "Properly Shredded Garbage," when used herein, shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half-inch (1/2") in any dimension.

PUBLIC SEWER. The term "Public Sewer," when used herein, shall mean a sewer provided by or subject to the jurisdiction of the Village. It shall also include sewers within or outside the Village boundaries that serve one or more persons and ultimately discharge into the Village sewers, even though those sewers may not have been constructed with Village funds.

SANITARY SEWER. The term "Sanitary Sewer," when used herein, shall mean a sewer that conveys sewage or industrial wastes or a combination of both, and into which stormwaters, surface waters, and groundwaters or unpolluted industrial wastes are not intentionally admitted.

SEWAGE. The term "Sewage," when used herein, shall be used interchangeably with wastewater.

SEWER. The term "Sewer," when used herein, shall mean a pipe or conduit for conveying sewage or any other waste liquids, including stormwater, surface water, and groundwater drainage.

SEWERAGE WORKS. The term "Sewerage Works," when used herein, shall mean the system of sewers and appurtenances for the collection, transportation, pumping, and treatment of wastewater and discharge of effluent.

SHALL. The term "Shall," when used herein, shall mean this term is mandatory.

SLUDGE. The term “Sludge,” when used herein, shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than five times the average twenty-four (24) hour concentration of lows during normal operation.

STANDARD METHODS. The term “Standard Methods,” when used herein, shall mean the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water and Wastewater" published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.

STORM SEWER. The term “Storm Sewer,” when used herein, shall mean a sewer that carries stormwater, surface water and groundwater drainage, but excludes sewage and industrial wastes other than unpolluted cooling water.

STORMWATER RUNOFF. The term “Stormwater Runoff,” when used herein, shall mean that portion of the natural precipitation that is drained into the sewers.

SUPERINTENDENT. The term “Superintendent,” when used herein, shall mean the person in charge of the sewerage facility employed by the Village of Orangeville, Illinois, or its authorized deputy, agent or representative.

SUSPENDED SOLIDS. The term “Suspended Solids,” when used herein, shall mean solids that either float on the surface of, or are in suspension in water, sewage, or industrial waste, and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in "Standard Methods.”

UNPOLLUTED WATER. The term “Unpolluted Water,” when used herein, 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. The term “Wastewater,” when used herein, shall mean the spent water of a community. From this standpoint, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and stormwater that may be present.

WASTEWATER FACILITIES. The term “Wastewater Facilities,” when used herein, shall be synonymous with the term “Sewerage Works.”

WASTEWATER TREATMENT WORKS. The term "Wastewater Treatment Works" when used herein, shall mean an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge; sometimes used as synonymous with "Waste Treatment Plant" or "Wastewater Treatment Plant" or "Pollution Control Plant."

WATER QUALITY STANDARDS. The term "Water Quality Standards," when used herein, shall mean the same as it is defined in the Water Pollution Regulations of Illinois.

WATERCOURSE. The term "Watercourse," when used herein, shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Sec. 18-3. GENERAL - SEVERABILITY.

The articles, paragraphs, sentences, clauses and phrases of this Chapter are severable, and if any phrase, clause, sentence, paragraph or section of this Chapter shall be declared unconstitutional, invalid, or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity, or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Chapter.

Sec. 18-4 through Sec. 18-10. RESERVED.

ARTICLE II: SYSTEMS

Sec. 18-11. SYSTEMS - CONNECTION TO SEWER SYSTEM REQUIRED.

The owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the Village and abutting on any street, alley, easement, or right-of-way in which there is not located or may in the future be located any public sanitary sewer of the Village are hereby required, each at his expense, to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provision of this Chapter, within 90 days after date of official notice to do so.

Sec. 18-12. SYSTEMS - PRIVATE SEWAGE DISPOSAL.

(A) Where a public sanitary sewer is not available, and a variance from the construction of a sanitary sewer has been granted by the Village Board, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Chapter.

(B) Before commencement of construction of a private sewage disposal system, the

owner shall first obtain a written permit signed by the Village Board. The application for such permit shall be made on a form furnished by the Water-Sewer Superintendent (WSS), which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the WSS. A permit and inspection fee of ten-dollars (\$10.00) shall be paid to the Village at the time the application is filed.

(C) A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the WSS. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the WSS when the work is ready for final inspection, and before any underground portions are covered.

(D) The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Private Sewage Disposal Licensing Act and Code and with the State of Illinois Environmental Protection Agency, and the ordinances of the county. No septic tank or cesspool shall be permitted to discharge to any outlet.

(E) At such time as a public sewer becomes available to a property served by a private sewage disposal system as provided in Sec. 18-2, a direct connection shall be made to the public sewer in compliance with this Chapter, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

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

(G) No statement contained in this Chapter shall be construed to interfere with any additional requirements that may be imposed by the county in which said system is to be constructed.

Sec. 18-13. SYSTEMS - BUILDING SEWERS

(A) There shall be two classes of building sewer permits: **(1)** for residential and commercial service, and **(2)** for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application for permit on a form furnished by the Village. The application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the WSS.

(B) A connection and inspection fee, as specified in Chapter 20, shall be paid to the Village at the time the application is filed. All nonresidential applicants shall, as a condition of permit authorization, provide information describing its wastewater constituents, characteristics, and type of activity.

(C) A building sewer permit will only be issued and a sewer connection shall only be allowed if it can be demonstrated that the downstream sewerage facilities, including sewers, pump

stations, and wastewater treatment facilities, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.

(D) All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(E) A separate and independent building sewer shall be provided for every building.

(F) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Village, to meet all requirements of this Chapter.

(G) The size, slope, alignment, and materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing Codes or other applicable rules and regulations of the Village. In the absence of Code provisions or in application thereof, the materials and procedures set forth in appropriate specifications of the American Society of Testing Materials, Water Pollution Control Federation Manual of Practice No. 9, and Standard Specifications for Water and Sewer Main Construction in Illinois, 1973 Edition, shall apply, three copies of each being on file in the office of the Village Clerk, and which are hereby adopted by reference.

(H) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by a means which is approved in accordance with this Chapter, and discharged to the building sewer.

(I) No person shall make connection of roof downspouts, exterior foundation drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

(J) The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing Codes, other applicable rules and regulations of the Village, and the procedures set forth in appropriate specifications of the American Society of Testing Materials, Water Pollution Control Federation Manual of Practice No. 9, and Standard Specifications for Water and Sewer Main Construction in Illinois. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Village before installation.

(K) The applicant for the building sewer permit shall notify the Village when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Village or its representative.

(L) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village.

Sec. 18-14. SYSTEMS - STREET EXCAVATIONS.

No persons shall dig, excavate, or cause to be dug or excavated within, through, or under any street, alley, sidewalk, or public highways within the Village for any purpose under this Chapter, without first obtaining a permit in accordance with this Code.

Sec. 18-15. SYSTEMS - DISCHARGE OF SEWAGE, POLLUTED WATERS.

It shall be unlawful to discharge to any natural outlet within the Village, or in any area under the jurisdiction of the Village, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with the provisions of this Chapter.

Sec. 18-16. SYSTEMS - PRIVIES, SEPTIC TANKS PROHIBITED.

Except as herein provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

Sec. 18-17. SYSTEMS - STORMWATER DISCHARGES.

(A) No person shall discharge, or allow to be discharged, any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Village. Industrial cooling water or unpolluted process waters may be discharged on approval of the Village to a storm sewer or natural outlet.

(B) It shall be unlawful for any person to connect or cause to be connected with the stormwater drain system of the Village, any drain carrying or designed to carry any toilet, sink, basement, septic tank, cesspool, industrial waste, or any fixture or other device discharging polluting substances, or to cause or permit to be discharged into the stormwater system of the Village, any sanitary sewage, industrial waste, or any other polluting substance.

Sec. 18-18. SYSTEMS - PROHIBITED DISCHARGES.

No person shall discharge or allow to be discharged any of the following described waters or wastes to any public sewers: (A) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas; (B) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantify, either singly or by interaction with other wastes,

to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant; (C) Any waters having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewerage works; and (D) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewerage works such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups or milk containers, either whole or ground by garbage grinders.

Sec. 18-19. SYSTEMS - HARMFUL WASTES.

(A) No person shall discharge or allow to be discharged the following described substances, materials, waters or wastes: **(1)** any liquid or vapor having a temperature higher than 150° F; **(2)** any waters or wastes containing toxic or poisonous materials or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32° and 150° F (0° and 65° C); and **(3)** waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters.

(B) The maximum allowable concentration shall be determined by the following rules: **(1)** no monthly average shall exceed the prescribed numerical standard; **(2)** no daily composite shall exceed two (2) times the prescribed numerical standard; **(3)** no grab sample shall exceed three (3) times the prescribed numerical standard; **(4)** the monthly average shall be the numerical average of all daily composites taken during a calendar month. A monthly average must be based on at least three (3) daily composites; **(5)** a daily composite shall be the numerical average of all grab samples, or the result of analysis of a single sample formed by combining all aliquots, taken during a calendar day. A daily composite must be based on at least three (3) grab samples or three (3) aliquots taken at different times; and **(6)** a grab sample is a sample taken at a single time. Aliquots of a daily composite are grab samples only if they are analyzed separately. No person shall discharge or allow to be discharged substances, materials, waters or wastes in concentrations greater than those listed in the table below:

PARAMETER	ALLOWABLE CONCENTRATION
Arsenic	0.25 mg/l
Barium	2.0 mg/l
Cadmium	0.7 mg/l
Chromium	2.0 mg/l
Copper	2.7 mg/l
Cyanide	0.5 mg/l
Lead	0.4 mg/l
Manganese	1.0 mg/l
Mercury	0.0005 mg/l
Molybdenum	1.0 mg/l
Nickel	0.15 mg/l
Oil	100 mg/l
pH	6.5 – 8.5 S.U.
Phenols	0.3 mg/l
Silver	0.7 mg/l
Zinc	2.0 mg/l

(C) No person shall discharge or allow to be discharged substances, materials, waters or wastes if the WSS determines that such wastes are harmful to either the sewers, wastewater treatment process, or equipment of the sewerage works; have an adverse effect on the receiving stream; or otherwise endanger life, limb, public property, or constitute a nuisance. In making such determination as to the acceptability of these wastes, the WSS shall give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the wastewater treatment process, capacity of the wastewater treatment plant, degree of treatability of wastes in the wastewater treatment plant, and maximum limits established by regulatory agencies. Any such determination may be appealed to the Village Board by any person affected by such determination. The decision of the Village Board on such appeal shall be final.

Sec. 18-20. SYSTEMS - DECLARATION OF NUISANCE; REMEDIES.

(A) If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in this Chapter, which are in violation of the standards for pretreatment set forth in the "General Pretreatment Regulations for Existing and New Sources of Pollution" published by the Federal Register, Volume 43, Number 129 on June 26, 1978, or which are in violation of the standards for pretreatment provided in Chapter 1, EPA Rules and Regulations, Subchapter D, Water Programs Part 128 - Pretreatment Standards, Federal Register Volume 38, No. 215, Thursday, November 8, 1973, and any amendment thereto, and which may have a deleterious effect upon the sewerage works, processes, equipment, or receiving waters, or which otherwise

create a hazard to life or constitute a public nuisance, the Village may seek injunctive relief and otherwise seek penalties as provided in Section 18-99 of this Chapter.

Sec. 18-21 through Sec. 18-26. RESERVED.

ARTICLE III: MAINTENANCE AND ADMINISTRATION (MA)

Sec. 18-27. MA - REQUIRED TREATMENT AND CONTROL FACILITIES.

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

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

(C) Each industry shall be required to install a control manhole and, when required by the Village, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Village. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

Sec. 18-28. MA - TESTS, ANALYSES OF WASTES.

(A) The owner of any property serviced by a building sewer carrying industrial wastes shall provide laboratory measurements, tests, and analyses of waters and wastes to illustrate compliance with this Chapter and any special conditions for discharge established by the Village or regulatory agencies having jurisdiction over the discharge. The number, type, and frequency of laboratory analyses to be performed by the owner shall be as stipulated by the Village, but no less than once per year the industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with the federal, state, and local standards are being met. The owner shall report the results of measurements and laboratory analyses to the Village at such times and in such manner as prescribed by the Village. The owner shall bear the expense of all measurements, analyses, and reporting required by the Village. At such times as deemed necessary, the Village reserves the right to take measurements and samples for analysis by an outside laboratory service. The owner shall bear any and all expenses for measurement, analysis or other expenses, including

attorney's fees incurred in enforcement of this Section including, but not limited to any costs incurred for an outside laboratory should the Village choose to take independent samples.

(B) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater." published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, B.O.D. and suspended solids analyses are obtained from twenty-four (24) hour composites of all outfalls, whereas pH's are determined from periodic grab samples.

Sec. 18-29. MA - SPECIAL AGREEMENTS.

No statement contained in this Chapter shall be construed as preventing any special agreement or arrangement between the Village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment, subject to payment therefor, by the industrial concern, provided such payments are in accordance with federal and state guidelines for user charge systems and industrial cost recovery systems.

Sec. 18-30. MA - WASTEWATER SERVICE OUTSIDE VILLAGE LIMITS.

(A) Existing buildings with private wastewater disposal systems, either separate or part of a subdivision shall be applicable to the following: **(1)** where requested by the property owners, the Village may, in its discretion, permit connections of existing houses or other structures on a contractual basis. The construction of house service lines, connections, wastewater collection systems for subdivisions, and extensions needed to reach the Village's lines will be at the expense of the individual properties to be served. Annexation may be required by the Village as a condition of service, dependent upon location of the property, its need for Village service, and the ability of the Village to provide such service. Extension approval shall be by the adoption of an ordinance which will approve a utility agreement with the Village; and **(2)** the utility agreement with the Village shall provide that all construction of service lines, connections, and wastewater collection systems shall be in accordance with ordinances of the Village and shall further be subject to all fees and charges provided by ordinance unless the same shall have been waived by the Village under a prior written agreement with the Village.

(B) Owners of new buildings needing sanitary sewer service connections, either separate or

part of a new subdivision, which are constructed after the effective date of this policy, or are structures which are a part of a subdivision which is planned subsequent to the adoption of this Code; (1) may, at the discretion of the Village Board, be provided requested service on a contractual basis after submitting a written request for service subject to the following conditions: (a) the owner must agree to annex immediately to the Village if the property to be served is contiguous to the Village limits, or if not contiguous, to annex to the Village upon becoming contiguous; and (b) the owner must agree to conform to Village building Codes, subdivision control requirements, and sewer use ordinances in those cases where Village requirements are more stringent than those of the county, as a condition of any annexation agreement, and shall also agree to pay the normal Village fees and charges for the enforcement of same; (2) the above requirements shall also be provided for in a contractual agreement and shall be binding upon future as well as present owners; and (3) current fee and charge schedules are provided in ordinance in Chapter 19 of this Code. The connection fee is intended to cover the investment which must be made by the water and wastewater utility, or which has previously been made by the utility, for providing basic supply, treatment, collection, transmission, and/or distribution needs. The tap-on charge is intended to recover the out-of-pocket expense involved in making the actual service connections. These charges are subject to review from time to time based on changing costs. Service charges are the periodic charges currently rendered monthly, which cover operation and maintenance costs and other capital investment costs not covered by the connection fee, including, but not limited to, bond financing and reserve fund requirements.

Sec. 18-31. MA - DAMAGING SEWERAGE WORKS.

No person shall maliciously, willfully, or negligently break, damage, destroy, or tamper with any structure, appurtenance, or equipment which is a part of the sewerage works.

Sec. 18-32. MA - RIGHT OF ENTRY; INSPECTION.

(1) The WSS and other authorized employees and agents of the Village, bearing proper identification, shall have the authority to conduct a program of continuing surveillance and of regular or periodic inspection of actual or potential contaminate sources to the sewers, sewer waterway or related facilities. In accordance with Constitutional limitations, the WSS and other authorized employees and agents of the Village shall have authority to enter at all reasonable times upon any private or public property for the purpose of: (a) inspecting and investigating to ascertain possible violations of this Chapter or any statute or regulation under Federal or Illinois law applicable to sewer discharge, sewer contamination or release of hazardous materials into the sewer waterway; and (b) in accordance with the provisions of this Chapter or any applicable Federal or Illinois law applicable to the regulation of sewer discharge, taking whatever preventative or corrective action including, but not limited to, removal or remedial action that is necessary or appropriate whenever there is a release or a substantial threat of a release of a hazardous substance, contaminant or harmful chemical into the sewer waterway; (2) the WSS and other authorized employees and agents of the Village

shall have authority to inquire into any processes, including metallurgical, chemical, oil refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterway or facilities; and **(3)** in the event that any person denies the WSS or its authorized employees or agents to access private or public property for the purpose of conducting an inspection under this Section, the Village of Orangeville is authorized to seek and obtain an administrative search warrant from either the Seventeenth Judicial Circuit, State of Illinois, Stephenson County or the United District Court for the Northern District of Illinois, Western Division.

Sec. 18-33 through Sec. 18-98. RESERVED.

ARTICLE IV: PENALTIES

Sec. 18-99. PENALTY - BY ARTICLE AS INDICATED.

A. All penalties addressed by this article are applicable only upon conviction of the referenced violation in the appropriate legal forum. Upon conviction, the Village shall also be entitled to reasonable fees and costs for its part in the adjudication.

B. Whenever in this Chapter or in any Section of this Chapter an act is prohibited or is made or declared to be unlawful or a misdemeanor or a violation of this Chapter, or whenever in such statute the doing of any act is required or the failure to do any act is declared to be unlawful or a misdemeanor or a violation therefor, the violation of any such provision of this Chapter or any statute herein shall be punishable by a fine of not less than ten-dollars (\$10.00), nor more than seven-hundred, fifty-dollars (\$750.00). Each day any violation of any provision of the Chapter or any statute of the Chapter continues, consecutive or not, shall constitute a separate offense. Regardless of the number of total days of violation, any fine shall not exceed three-thousand-dollars (\$3,000.00).

C. In addition to the penalties set forth in "B" above, any person who shall damage any portion or component of the sewerage works of the Village by violating any provision of this Chapter, or otherwise, shall be civilly liable to the Village for such damages and the full cost of repairs.