

**WHEATON SANITARY DISTRICT**

**ORDINANCE NO. 475  
REPEALING ORDINANCE NO. 145 AS AMENDED**

**AN ORDINANCE GOVERNING  
CONSTRUCTION, MATERIALS, MANNER OF MAKING  
CONNECTIONS,  
INSPECTION, FEES, USE OF THE SEWERS AND  
OTHER REGULATIONS OF THE WHEATON SANITARY DISTRICT,  
DU PAGE COUNTY, ILLINOIS**

**BE IT ORDAINED** by the Board of Trustees of the Wheaton Sanitary District, DuPage County, Illinois, as follows:

SECTION 1.       DEFINITIONS: The following words, expressions and terms, wherever used in these rules and regulations shall be defined and construed to mean as follows:

Section 1-1. “District” shall mean the Wheaton Sanitary District.

Section 1-2. “Board of Trustees” or “Trustees” shall mean the Board of Trustees of the Wheaton Sanitary District.

Section 1-3. “BOD” (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter.

Section 1-4. “Building Drain” shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, wastes, and other drainage pipes inside the walls of the building and conveys it to the building sewer, being five (5) feet outside the inner face of the building wall.

Section 1-5. “Building Sewer” shall mean the extension from the building drain to the public sewer or other place of disposal.

Section 1-6. “Combined Sewer” shall mean a sewer receiving both surface runoff and sewage.

Section 1-7. “District Sewer” shall mean any sewer constructed, maintained and/or operated by the Wheaton Sanitary District, including any and all manholes, intercepting chambers or other appurtenances connected therewith.

Section 1-8. “Engineer” shall mean the duly appointed and qualified engineer of the Wheaton Sanitary District.

Section 1-9. “Garbage” shall mean solid waste from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.

Section 1-10. “Industrial Waste” shall mean the liquid waste from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

Section 1-11. “Natural Outlet” shall mean any outlet into a water course, pond, ditch, lake, or other body of surface or ground water.

Section 1-12. “Person” shall mean any individual, firm, company, association, society, corporation, or group.

Section 1-13. “pH” shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Section 1-14. “Properly Shredded Garbage” shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch in any dimension.

Section 1-15. “Public Sewer” shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Section 1-16. “Sanitary Sewer” shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

Section 1-17. “Sewage” shall mean a combination of the water-carried wastes from residences, business buildings, institutions, industrial establishments, together with such ground, surface, and storm waters as may be present.

Section 1-18. “Sewage Treatment Plant” shall mean any arrangement of devices and structures used for treating sewage.

Section 1-19. “Sewage Works” shall mean all facilities for collecting, pumping treating, and disposing of sewage.

Section 1-20. “Sewer” shall mean a pipe or conduit for carrying sewage.

Section 1-21. “Shall” is mandatory; “May” is permissive.

Section 1-22. “Slug” shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or any quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

Section 1-23. “Storm Drain” (sometimes termed “storm sewer”) shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Section 1-24. “Superintendent” or “Manager” shall mean the duly appointed superintendent or manager of the Wheaton Sanitary District.

Section 1-25. “Suspended Solids” shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

Section 1-26. “Watercourse” shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Section 1-27 “NPDES Permit” shall mean the National Pollution Discharge Elimination System Permit that is issued pursuant to Title IV, Section 402 of the Federal Water Pollution Control Act, PL 92-500. as amended, setting the limits on constituents that the permittee may legally discharge. These limits are set in both concentration and quantity.

Section 1-28 “Compatible Pollutant” shall mean bio-chemical oxygen demand, suspended solids, pH and fecal coliform bacteria, plus additional pollutants identified in the NPDES permit if the publicly owned treatment works was designed to treat such pollutants and in fact does remove such pollutants to a substantial degree.

Section 1-29“Incompatible Pollutant” shall mean any pollutant not listed as a compatible pollutant.

Section 1-30“Major contributing industry” shall mean an industrial user of the publicly owned treatment works that has:

- (a) a flow greater than 50,000 gallons per day or more per average work day; or
- (b) has a flow greater than 5% of the flow carried by the municipal system receiving its waste, or
- (c) has in its waste, a toxic pollutant in toxic amount as defined in standards issued under Section 307(a) of the Federal Water Pollution Control Act of 1972 as amended; or
- (d) is found by the permit issuance authority, in connection with the issuance of an NPDES permit to the publicly owned treatment works receiving the waste, to have significant impact either singly or in combination with other contributing industries on that treatment works of upon the quality of effluent from that treatment works.

**SECTION 2. UNAUTHORIZED CONNECTION AND INTERFERENCE WITH SEWERS PROHIBITED.**

- a. It shall be unlawful for any person, firm, corporation or municipal authority to connect or construct or cause to be connected or constructed, any interceptor, trunk or lateral sanitary sewer extension, addition, appendage, or house service connection, force main or sewage pump directly or indirectly tributary to the Wheaton Sanitary District’s sewage treatment plant or interceptor sewer system, alter or disturb any District sewer or open any manhole, intercepting chamber or any appurtenance thereof, without first obtaining a written permit to do so from the Manager of the District.
  
- b. In the case of the complete or partial razing of any building, it shall be the requirement of the owner of the property or the contractor doing the demolition to apply for and obtain a permit for the disconnection of the building sewer from the building drain. Simultaneously with the disconnection of the building drain from the building sewer, the

building sewer shall be plugged with a water tight expandable plug to prevent entrance of surface or subsurface water and/or foreign matter into the public sewer. The disconnection and plugging must be completed prior to the commencement of the demolition of the building. Both the owner and the legal entity or person or persons making the disconnection shall be responsible for damage to the works of the system occasioned by entry of foreign matter into the public sewer system, which results from, or relates in any way to, the demolition project and/or disconnection/plugging of the drain.

- c. In any case of repair, reconstruction, rehabilitation, addition to or other improvement of a building for which the estimated cost of such improvements is equal to or more than 1.5 times the most recent assessed valuation of the property, the building sewer which is connected to a public sewer tributary to the works of the system, shall be replaced by the property owner. A permit must be applied for and issued for the construction of the new building sewer before the commencement of construction of the improvement. Such new building sewer must be constructed from the public sewer and be complete in due time to be connected to the building drain. The requirement for a new building sewer may be waived if it is demonstrated, to the District's satisfaction, that the building sewer is air tight and functioning properly.

### SECTION 3. SEWER CONNECTIONS-BOND-FEES.

Section 3-1. No permit provided for in Section 2 shall be issued until applicant for such permit has:

Section 3-1-1. Filed with the Manager of the District, a written application in the form provided, stating definitely what work is to be done, together with full and complete description thereof, and where the Manager shall so require, a copy of the plans and specifications therefore.

Section 3-1-2. Filed with the Manager of the District a bond in the form provided, in the sum of at least Five Thousand Dollars (\$5,000.00) signed by the applicant and a good and reputable bonding company.

Section 3-1-3. Paid to the District applicable fees as provided for in Ordinance 296, as amended.

Section 3-2. No such connection shall be made or connecting sewer constructed except by a skilled and responsible sewer builder or drain layer and whose name or names shall be stated in the application for permit; provided, however, if the applicant is unable to state the name or names of such sewer builder or drain layer at the time of making application, said application may nevertheless be granted, but in any such case, before commencing the work, the applicant shall secure the approval, in writing, from the Manager of the Contractor employed to do the work.

Section 3-3. All premises connected to the Wheaton Sanitary District sanitary sewer system must be equipped with an accurate water meter at the water service line; said water meter to be purchased from the District by the permittee when the permit is issued.

#### SECTION 4. SPECIAL BOND.

Section 4-1. If the Board of Trustees of the District shall so require or determine, any applicant for a permit may be required to give a special bond in such amount and upon such conditions as the Board shall require to protect the District from loss and damage.

Section 4-2. In the case of sanitary sewer construction permit application for subdivision or plat of annexation extension, applicant or approved contractor must furnish a bond in the amount of the cost of construction naming the District as co-principal, and with a surety of faithful performance, guaranteeing against mechanic's liens and saving the District harmless from any and all suits resulting directly or indirectly from the proposed construction.

#### SECTION 5. SPECIFICATIONS AS TO CONSTRUCTION MATERIALS, MANNER OF CONNECTIONS, AND TIME OF INSPECTION OF CONNECTION.

Section 5-1. No sewer shall be connected with any interceptor, trunk or lateral sewer, or to the sewer system of the Wheaton Sanitary District, or a tributary thereto, without a written permit issued by the Manager's office.

Section 5-2. All connections to the District's sewer system, for which a permit has been issued, shall be made at such points and in such manner as directed by the Manager of the Wheaton Sanitary District.

Section 5-3. Any sewer connected directly or indirectly with any Wheaton Sanitary District sewer or its tributaries shall be so constructed as to exclude

all ground water infiltration and storm water. It shall be used to carry sanitary sewage only.

Section 5-4. Any person to whom a permit is issued for connection of a sewer to the Wheaton Sanitary District sewer system shall notify the District office for inspection of connection between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday.

Section 5-5. Two adjacent dwellings shall not be served by a single connection.

Section 5-6. No water pipe, drain tile connection or any other type of underground utility connection shall be laid in the same trench excavation for sewer pipe.

Section 5-7. No sump pump discharge, footing drains, gutters or eaves down spout or discharges shall be connected to any sanitary sewer, nor shall discharges from such sump pumps, footing drains, gutters or eaves down spout or discharges be permitted within ten (10) feet of the center line of the trench excavation in which there is to be, or is installed any sanitary sewer connected or to be connected to the Wheaton Sanitary District's system.

Section 5-8. Any sewer service connection shall be laid as nearly as possible in a straight line. All changes in direction shall be made with properly curved pipe or at manholes.

Section 5-9. Manholes shall be constructed in all lateral, trunk or outfall sanitary sewer lines where there is any change in direction or grade of such lines. In addition thereto, manholes shall be constructed on straight runs of any sewer at intervals of not exceeding 400 feet, unless a spacing other than 400 feet is specifically approved by the Manager in writing.

Section 5-9-1. Manholes shall be pre-cast reinforced concrete – ASTM C-478 with tongue and groove joints conforming to ASTM C-443, sealed with bituminous jointing material. Manholes shall have a minimum diameter of forty-eight (48) inches for sewers of 24 inch diameter or less, or sixty (60) inches for sewers greater than 24 inch diameter. Manhole castings shall be adjusted to finished grade using pre-cast concrete adjusting rings with bituminous joint sealant between all rings, with a maximum twelve (12) inch adjustment. All pipe connection openings into the manhole shall be pre-cored and booted with rubber water-tight manhole sleeves or seals.

Section 5-9-2. Manhole Chimney Seals shall be installed on all new manholes and manholes requiring adjustment. Chimney seals shall be internal and of flexible rubber.

Section 5-9-3. Manhole frames and covers shall have machine bearing surfaces and covers shall be self sealing Type A heavy duty lid, embossed with "WHEATON SANITARY DISTRICT". Lids shall have concealed pick holes.

Section 5-10. Only six (6) inch diameter PVC SDR-26 pressure pipe, ASTM D-2241 with flexible elastomeric seal joints conforming to ASTM D-3139, pressure joint fittings for ASTM D-2241 pipe, or approved equal, shall be used for sewer connections to the interceptors, trunks, or lateral sewers or to the Wheaton Sanitary District's sewer system.

Section 5-11. The interior of the sewer shall, as the work progresses, be cleaned of all dirt, joint compound and superfluous materials of every description.

Section 5-12. No connection to the Wheaton Sanitary District's sewer system, for which a permit has been issued, shall be backfilled or covered in any manner until same has been inspected by the Manager, or his representatives.

Section 5-13. Unless otherwise directed, all sewer trenches and excavations shall be backfilled as soon as the Manager, or his representatives, shall have inspected the same and approved the work.

All sewer pipes, as soon as laid, shall have the space between the pipe and the bottom and sides of the trench packed full with No. 9 crushed rock or selected material, by hand and thoroughly tamped with a shovel or light tamper, as fast as placed, up to the spring line of pipe. The filling shall be carried up evenly on both sides of the pipe. Care shall be taken that no rock, or other hard substances are placed in contact with the pipe.

The pipe shall then be covered by hand to a depth of at least twelve (12) inches with selected material free from stones larger than two (2) inches in diameter, frozen material or other hard substances.

The remainder of the trench shall be back filled by using the material originally excavated from the ditch to a height slightly above the original elevation, and in such a manner as to insure there being no voids. Any



settlement of the backfill below the original ground surface shall be remedied by the recipient of the permit for a period of one (1) year after the final completion and acceptance of the work, upon written notice from the Wheaton Sanitary District.

Section 5-14. All excavations in public or private streets, alleys, driveways or sidewalks, or parts thereof, shall be properly braced to prevent any caving. When the sewer pipe has been laid the excavation shall be backfilled in accordance with Section 5-13 and further compacted by thorough tamping, jetting or flooding up to a depth of twelve (12) inches, and the balance of the excavation backfilled with No. 5 gravel, No. 9 crushed rock, or bank run gravel to the correct elevation. Any pavement or macadamized surfaces shall be restored to their original grade to match the original surfaces so excavated. All excavations in public or private streets, alleys, driveways or sidewalks shall be promptly and regularly maintained for a period of one year after acceptance of the work.

Section 5-15. The Manager of the Wheaton Sanitary District may require connections to sewer lines in paved streets to be made by tunneling under the pavements, if, in his opinion, such method is necessary or desirable.

Section 5-16. All sewer connection trench openings or excavations made for the construction of sewers or connections to the sewer system of the District shall be surrounded and protected by ample and sufficient barriers, to which shall be attached between the hours of sunset and sunrise signal lights, together with such additional protections or warnings as may be required to save the Wheaton Sanitary District from any and all liability or damage.

Section 5-17. Any sewer connection made directly to an existing manhole of the District's system shall be constructed as a drop manhole connection, entrance of flow to be a maximum of four (4) inches above the invert of such manhole, or in a manner approved by the Manager.

Section 5-18. All drain tile encountered in trenching or excavating for sanitary sewer connections, shall upon completion of the laying of the sewer tile or pipe, be restored to their original condition and caused to operate to the satisfaction of the Manager of the District.

Section 5-19. When the work is completed, all surplus material, earth, rubbish, etc., shall be removed and the area disturbed by construction shall be left in as good condition as it was before the commencement of the work.

Section 5-20. Applicants for sewer connection permits must apply to such other public agencies as are necessary to comply with the rules and regulations of the several public bodies controlling the area in which the work is to be done.

Section 5-21. Buildings which cannot be served by a gravity sewer connection may be served by a pressure sewer system consisting of a pump serving a single building and a force main discharging into a gravity sewer.

Where two (2) or more adjacent buildings will be served, the discharge lines from each building may discharge into a common force main which shall be installed in a public easement. That portion of the system installed in a public easement will be maintained by the District. All other portions of the system will be maintained by the owner of the building served. The pump shall be installed outside the building to facilitate inspection and maintenance.

## SECTION 6. SPECIAL CONDITIONS FOR SUBDIVISION OR PLAT OF ANNEXATION, INTERCEPTOR, TRUNK OR LATERAL SANITARY SEWER SYSTEM CONSTRUCTION.

Section 6-1. Application for permit shall include:

Section 6-1-1. Legal description of the area in which construction is contemplated, including total acreage and number of construction sites to be served.

Section 6-1-2. Plat of subdivision showing dedication of right-of-way.

Section 6-1-3. Detailed plans, profiles and specifications, in triplicate, indicating quantities and sizes of sewers proposed to be constructed.

Section 6-1-4. Engineer's estimate of cost of construction together with a proposed date of starting construction and an estimated date of completion.

Section 6-1-5. Fees in the amount as determined under Section 3-1-3 hereof.

Section 6-2. Plans, profiles and specifications shall be reviewed by District's engineer and when found to conform to the District's Master Plan and Rules and Regulations, shall be marked "APPROVED FOR CONSTRUCTION" dated and signed by him. Any changes in plans, profiles and specifications requested by Applicant, or required by the District shall be at the sole expense of the Applicant.

Section 6-3. After plans, profiles and specifications have been "APPROVED FOR CONSTRUCTION" any alteration, change, modification, correction or revision shall be reduced to writing and "APPROVED FOR CONSTRUCTION" in the same manner as the original plans, profiles and specifications, and upon such approval, shall be made an integral part or addendum thereof.

Section 6-4. In all disputes, "APPROVED FOR CONSTRUCTION" plans, profiles, and specifications shall govern.

Section 6-5. Distribution of the "APPROVED FOR CONSTRUCTION" plans: one (1) set retained by District's engineer; one (1) set returned to Applicant; one (1) set to Wheaton Sanitary District.

Section 6-6. No construction shall begin until:

Section 6-6-1. "APPROVED FOR CONSTRUCTION" plans, profiles and specifications are available.

Section 6-6-2. Name and address of Applicant's contractor has been submitted and approved by the District. If, during the course of construction, contractor must be changed or replaced, such change or replacement shall be approved by the District.

Section 6-6-3. Bond, as provided for under Section 4-1, hereof, has been filed with the District.

Section 6-6-4. Certificates of Insurance, naming the District as an Additional Insured, as to Workman's Compensation, public liability, automobile liability and builder's risk have been filed with the District.

Section 6-6-5. Permit from Illinois Environmental Protection Agency, and such other public agencies as are necessary to comply with the rules and regulations of the several public bodies controlling the area in which the work is to be done, have been filed with the District.

Section 6-6-6. Have on deposit with the District sufficient funds to defray the cost of inspection.

Section 6-7. A representative of the District shall be present and on the site during all construction to assure compliance with the “APPROVED FOR CONSTRUCTION” plans, profiles and specifications. Presence of the District’s representative shall not relieve the Applicant, or his contractor, from his responsibility to perform the work in a good and workmanlike manner.

Section 6-8. Setting line and grade shall be the responsibility of Applicant or his design engineer.

Section 6-9. Any sanitary sewer extension, addition, or appendage as completed, shall be tested for infiltration by low pressure air test, closed circuit television, deflection testing or any combination of the foregoing, or by any other method the Manager or Engineer of the Wheaton Sanitary District may direct. All low pressure air tests shall be completed in accordance with the Standard Specifications for Water and Sewer Main Construction in Illinois, latest edition, except that all sections of sewer main shall be tested. All deflection testing shall be done by pulling a mandrel through the pipe from manhole to manhole in accordance with the Standard Specifications for Water and Sewer Main Construction in Illinois, latest edition. Testing and any corrective measures necessary to meet this requirement shall be at the expense of Applicant or his contractor

Section 6-10. No construction or ground water shall be permitted to enter sanitary sewer system during construction.

Section 6-11. Upon completion, final testing and inspection, Applicant or his engineer shall provide:

Section 6-11-1. Certificate that the sewage collecting system has, in all respects, been constructed in accordance with the “APPROVED FOR CONSTRUCTION” plans, profiles and specifications.

Section 6-11-2. Copy of infiltration and test results detailing method by which results were obtained. Certifying test must be conducted with a District representative present.

Section 6-11-3. Provide three (3) sets of “as built” plans, showing elevations to the nearest one-hundredth (100<sup>th</sup>) of a foot, U.S.G.S. datum of:

- (a) invert of sewer at manhole;
- (b) elevation of top of manhole at final grade;
- (c) elevation or tee or end of stub or riser, and dimension to the nearest five-tenths (5/10) of a foot of tee, end of stub or riser in relation to corner lot stakes.

Section 6-12. Applicant and/or his authorized agent and/or his contractor shall warrant and covenant all work against defective workmanship and materials for a period of one (1) year from the date of final test and acceptance.

## SECTION 7. USE OF DISTRICT SEWERS.

Section 7-1. No person shall discharge or cause to be discharged any storm water, surface water, ground water roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters connected directly or indirectly with any Wheaton Sanitary District sewer or its tributaries.

Section 7-2. Storm water, roof runoff and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet.

Section 7-3. No person shall discharge or cause to be discharged any of the following described waters or wastes to any sewer connected directly or indirectly with any Wheaton Sanitary District sewer or its tributaries.

Section 7-3.1. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

Section 7-3-2. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with the sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including, but not limited to, cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.

Section 7-3-3. Any waters or wastes having a pH lower than (5.5), or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage plant.

Section 7-3-4. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinder.

Section 7-4. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Manager that such wastes can harm either the sewers, sewage treatment process, or equipment, or have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance.

In forming his opinion as to the acceptability of these wastes, the Manager will give consideration to such factors as the quantities of subject waste in relation to flows and velocities in sewers, materials of construction of the sewers, nature of the sewerage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. In the event a prohibited substance, material, water, or wastes is accidentally discharged into the sanitary sewer system, the Manager shall be notified by phone within one hour after discovery of such accidental discharge and further a written report setting forth the details of the accidental discharge and the steps that will be taken to prevent such accidental discharge in the future shall be submitted within forty-eight (48) hours. The prohibited substances are :

Section 7-4-1. Any liquid or vapor having a temperature higher than one hundred fifty (150) °F, sixty-five (65) °C.

Section 7-4-2. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) °F, and zero and sixty-five (0 and 65) °C.

Section 7-4-3. Any garbage that has not been properly shredded. The installation and operation of any garbage shredder equipped with a motor of three-fourths (3/4) horsepower or greater shall be subject to the review and approval of the Manager.

Section 7-4-4. Any water or wastes containing strong acid iron pickling wastes, or concentrated plating solutions, whether neutralized or not.

Section 7-4-5. Any waters or wastes containing substances exceeding the following maximum concentrations or loadings of pollutants.

| POLLUTANT<br>LOADING<br><hr/> <u>PER DAY)</u> | CONCENTRATION       |                      |
|---|---------------------|----------------------|
|   | <hr/> <u>(mg/L)</u> | <hr/> <u>(POUNDS</u> |
| Arsenic                                       | 1.0                 | 2.9                  |
| Cadmium                                       | 0.5                 | 1.1                  |
| Chromium (Hexavalent)                         | 1.0                 | 2.8                  |
| Chromium (Trivalent)                          | 3.00                | 9.3                  |
| Copper  | 4.00                | 12.7                 |
| Cyanide                                       | 0.10                | .30                  |
| Fats, Oils and Grease                         | 100.00              | 41.7                 |
| Lead  | 0.50                | .90                  |
| Manganese                                     | 3.00                | 8.5                  |
| Mercury                                       | 0.0015              | .010                 |
| Nickel  | 2.50                | 7.4                  |
| Silver  | 0.50                | 1.2                  |
| Zinc  | 4.00                | 10.8                 |

Section 7-4-6. Any waters or wastes containing phenols or other taste- or- odor producing substances, in such concentrations exceeding limits which may be established by the Manager as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies or jurisdiction for such discharge to the receiving waters.

Section 7-4-7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Manager in compliance with applicable State or Federal regulations.

Section 7-4-8. Any waters, or wastes having pH in excess of (9.5).

Section 7-4-9. Materials which exert or cause:

- (a) Unusual concentration of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
- (b) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
- (c) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
- (d) Unusual volume of flow or concentration of wastes constituting “slugs” as defined herein.

Section 7-4-10. Waters or wastes containing substances which are not amenable to treatment or reduction by sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Section 7-5. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 7-4 of this article, and which in the judgement of the Manager may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Manager may:

Section 7-5-1. Reject the wastes.



Section 7-5-2. Require pretreatment to an acceptable condition for discharge to the public sewers.

Section 7-5-3. Require control over the quantities and rates of discharge and/or

Section 7-5-4. Require payment under Section 7-9 of this article to cover the added cost of handling and treating the wastes not covered by sewer charges.

If the Manager permits the pretreatment or equalization of waste flows, the design installation of the plants and equipment shall be subject to the review and approval of the Manager, and subject to the requirements of all applicable codes, ordinances and laws.

Section 7-6. Grease, oil and sand interceptors shall be provided when, in the opinion of the Manager, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or any 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 Manager, and shall be located as to be readily and easily accessible for cleaning and inspection. For new construction, the interceptors shall be located external to the building served.

Section 7-7. Where preliminary treatment or flow equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Section 7-8. When required by the Manager, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole when required, shall be accessible and safely located and shall be constructed in accordance with plans and specifications approved by the Manager. 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.

Section 7-9. All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in this ordinance 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 constituent upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analysis involved will determine whether a twenty-four (24) hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four (24) hour composites of all outfalls whereas pH’s are determined from periodic grab samples.)

Section 7-10. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the District and any industrial waste of unusual strength or character may be accepted by the District for treatment, subject to payment therefore, by the industrial concern.

Section 7-11 All discharges to any watercourse shall be in accordance with the requirements of the NPDES permit.

#### SECTION 8. PROTECTION FROM DAMAGE.

No unauthorized person shall maliciously, willfully or negligently break, remove damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be deemed guilty of a misdemeanor.

#### SECTION 9. POWERS AND AUTHORITY OF INSPECTORS.

Section 9-1. The Manager and other duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. The Manager or his representative shall have no authority to inquire into any processes, including metallurgical, chemical, oil, refining, ceramic paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

Section 9-2. While performing the necessary work on private properties referred to in Section 9-1 above, the Manager, his representative, or duly authorized employees of the District shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the District's employees and the District shall indemnify the company against loss or damage to its property by the District employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Section 7-7-1.

Section 9-3. The Manager and other duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all private property to which the District holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

Section 9-4. The Manager or other duly authorized employees of the District bearing proper credentials shall be permitted to enter all properties served by a force main and sewage pump to inspect for proper operation of the sewage pump and to verify compliance with permitted conditions.

#### SECTION 10. FINES – PENALTIES – SUITS:

Section 10-1. Any person found to be violating any provision of this Ordinance, except Section 8, shall be served, by the District, written notice stating the nature of the violation and providing a reasonable time, not to exceed fifteen (15) days for the satisfactory correction thereof.

Section 10-2. If the violation is not corrected by timely compliance, the Manager may order any person that causes, or allows an unauthorized discharge, to show cause before the Board of Trustees why service should not be terminated. A notice shall be served on the offending party, specifying the time and place of a hearing to be held by the Board of Trustees regarding the violation, and directing the offending party to show cause before said Board why an order should not be made directing the termination of service. The notice of the hearing shall be served personally

or by registered or certified mail (return receipt requested) at least five (5) days before the hearing. Service may be made on any agent or officer of the corporation.

Section 10-2-1. The Board of Trustees may itself conduct the hearing and take the evidence, or may designate any of its members or any officer or employee of the District to:

- (A) Issue in the name of the Board of Trustees notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in any such hearings.
- (B) Take the evidence.
- (C) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Board of Trustees for action thereon.

Section 10-2-2 . At any public hearing, testimony taken before the Board of Trustees or any person designated by it, must be under oath and recorded stenographically. The transcript or any part thereof, so recorded, will be made available to any member of the public upon payment of the usual charges therefore.

Section 10-2-3. After the Board of Trustees has reviewed the evidence, it may issue an order to the party responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed or existing treatment facilities, devices or other related appurtenances are properly operated, and such further orders and directives as are necessary and appropriate.

Section 10-2-4. Any discharge in violation of the substantive provisions of this Ordinance or an Order of the Board of Trustees shall be considered a public nuisance. If any person discharges sewage, industrial wastes or other wastes into the District treatment system contrary to the substantive provisions of this Ordinance or any Order of the Board of Trustees, the Attorney for the Wheaton Sanitary District shall commence an action for appropriate legal and/or equitable relief in any Court of competent jurisdiction.

Section 10-3. Any person who is found to have violated an Order of the Board of Trustees or who willfully or negligently failed to comply with any provision of this Ordinance, and the orders, rules and regulations issued

hereunder, shall be fined not less than Five Hundred Dollars (\$500.00) for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the District may recover reasonable attorney's fees, court costs, court reporter's fees and other expenses of litigation and the costs incurred in correcting process upsets caused by the introduction of prohibited substances by appropriate suit at law against the person found to have violated this Ordinance or the orders, rules and regulations issued hereunder.

Section 10-4. The Attorney for the Wheaton Sanitary District is hereby authorized and empowered to institute and prosecute any and all proceedings, suits and actions necessary to collect any and all fines and penalties herein provided for and is also hereby authorized and empowered to institute and prosecute any and all suits at law or in equity as may be appropriate or necessary to prevent any and all prohibited discharges or deposits of any and all wastes, industrial wastes and solids or liquids herein or hereby prohibited and/or any and all other necessary suits and proceedings to secure compliance by person or party with the terms and provisions of this Ordinance.

#### SECTION 11. VALIDITY OF ORDINANCE

The invalidity of any section, sentence, clause, or provision of this Ordinance shall not affect the validity of any other part or portion of this Ordinance which can be given effect without such invalid part or portion, if any.

#### SECTION 12. ORDINANCE IN FORCE

This Ordinance shall be in full force and effect from and upon its passage, approval and publication as provided by law.

SECTION 13. REPEALER.

Ordinance 145, as amended, and any and all other ordinances, or parts of ordinances, in conflict herewith be and are hereby repealed.

Dated at Wheaton, Illinois this 9th day of July 2003

S/Cleve E. Carney  
President, Board of Trustees,  
Wheaton Sanitary District

ATTEST:

S/Jeffrey R. Walker  
Clerk, Board of Trustees  
Wheaton Sanitary District

Approved: July 9, 2003  
Published: July 16, 2003  
Effective: July 26, 2003