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AN ORDINANCE AMENDING TITLE 4, CHAPTER 7 OF THE ORLAND PARK VILLAGE CODE IN REGARD TO DISCHARGES AND STORM AND SANITARY SEWERS

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WHEREAS, the Village President and Board of Trustees of the Village of Orland Park (the “Village”) have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, pursuant to 65 ILCS 5/1-2-1, the Village may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities; and

WHEREAS, the Village deems it to be in the best interest of the public to revise Title 4, Chapter 7 of the Village Code of Orland Park in relation to Discharges and Storm and Sanitary Sewers;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, and pursuant to its home rule powers, as follows:

SECTION 1:

The above recitals are incorporated herein by reference as though fully set forth herein.

SECTION 2:

Title 4, Chapter 7, of the Orland Park Village Code is amended in its entirety to provide as follows:

4-7-1: PURPOSE:

It is the purpose of this Chapter to regulate flows into the Village’s sanitary sewer and storm sewer systems. :

4-7-2: DEFINITIONS:

Unless otherwise specifically indicated, the meaning of the terms used in this section shall be as follows:

ADVERSE DRAINAGE IMPACT: Any discharge from any downspout(s), roof drain(s), sump pump(s), footing tile(s), foundation drain(s) and/or any other similar structures, facility, improvement, or equipment which discharges stormwater and/or surface water on any public property or on any other private property which is substantially different from drainage conditions which existed prior to the installation thereof, nor shall the surface water shall be

permitted or allowed to discharge or flow directly onto, across, or over any sidewalk, curb, or other impervious surface.

CHEMICAL AND INDUSTRIAL WASTE(S): The solids, liquid or gaseous wastes resulting from any industrial, manufacturing, trade or business process or from the development, recovery or processing of natural resources.

SEWAGE: The combination of water-carried wastes from residences, business buildings, institutional and industrial establishments, including sewage or other combined wastes into any storm sewer in or under the jurisdiction of the Village.

SANITARY SEWER: Any pipe or conduit which carries sewage from residences, business buildings, institutional and industrial establishments.

STORM SEWER: Any pipe or conduit which carries storm, surface water and drainage but excludes sewage and industrial wastes.

4-7-3 STORM AND SURFACE WATER DISCHARGES:

4-7-3-1: No Permit Required:

Although no permit shall be required for the installation and/or the construction of drain tiles, drainage ditches, swales, burying of any downspout(s), or redirecting sump pump discharge(s), footing tile discharge(s), foundation drain(s), as a condition precedent to any such work, all owner(s) and occupant(s) of the subject property shall conform to the conditions of this section and shall permit inspection(s) of any such installation by the Village.

4-7-3-2: Prior Drainage Conditions:

The Village's issuance of any building permit, or other Village permit, to any owner(s) and occupant(s) of a property issued, which permitted work will modify or impact the existing drainage pattern shall, as a condition of such permit, whether or not expressly stated therein, require conformance to the regulations contained in this section, whether the prior condition was permitted or not.

4-7-3-3: Discharge:

Downspout(s), roof drain(s), sump pump(s), footing tile(s), and/or foundation drain(s), and/or any other similar structure, facility, improvement, or equipment which discharges stormwater and/or surface water shall each discharge at grade, towards the front or rear of the property, not less than ten (10') feet from all property lines and shall not be discharged in a manner that would create a public nuisance or Adverse Drainage Impact.

4-7-3-4: Adverse Drainage Impact:

Any discharge from any downspout(s), roof drain(s), sump pump(s), footing tile(s), foundation drain(s) and/or any other similar structures, facility, improvement, or equipment which

discharges stormwater and/or surface water shall not create any Adverse Drainage Impact on any public property or on any other private property which is substantially different from drainage conditions which existed prior to the installation thereof nor shall the surface water shall be permitted or allowed to discharge or flow directly onto, across, or over any sidewalk, curb, or other impervious surface.

4-7-3-5: Prohibited Storm System Discharges:

No person, firm, association, corporation or other entity shall discharge or cause to be discharged any of the following described wastes to any storm sewer or surface drainage system:

- A. CHEMICAL AND INDUSTRIAL WASTE(S), as defined in Section 4-7-2 herein.
- B. SEWAGE, as defined in Section 4-7-2 herein.

4-7-4: SANITARY DRAINS AND CONNECTIONS, RESTRICTIONS:

It shall be unlawful to discharge or cause to be discharged, directly or indirectly, into the sanitary sewer system of the Village any extraneous flows, such as those flows, other than domestic sewage or industrial waste, consisting of ground waters, surface waters, storm waters, roof drainage, footing tile drainage, groundwater sump pump drainage, yard drains, catch basins, inlets, and other drainage or clear waters, including, but not limited to:.

- A. Any liquid or vapor having a temperature higher than one hundred fifty degrees (150°) F.

- B. Any water or waste which may contain more than one hundred (100) parts per million, by weight, of fat, oil or grease.

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

- D. Any garbage that has not been properly shredded to such 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.

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

- F. Any waters or wastes having a pH lower than five and five-tenths (5.5) or higher than nine (9.0) or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

- G. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.

- H. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

- I. Any noxious or malodorous gas or substance capable of creating a public nuisance.

It shall be unlawful to make, maintain or operate a connection to the sanitary sewer system of the Village, which contributes, directly or indirectly, any ground waters, surface waters, storm waters or any other extraneous flows into the sewer system. This Chapter shall also apply to existing connections into the Village sanitary sewer system.

4-7-4-1: ILLEGAL CONNECTIONS TO THE SANITARY SEWER:

All illegal connections, as defined herein, shall be immediately disconnected whether or not such work was previously permitted.

4-7-4-2: RESPONSIBILITIES OF PLUMBERS, CONTRACTORS:

No person, firm, partnership or corporation engaged in the sewer and/or plumbing business whether or not licensed by the Village of Orland Park, or in any other business relating to the construction of buildings, roads or any other type construction shall hereafter make a connection between any sanitary sewer main of the sanitary sewerage collection system of the Village of Orland Park and any roof drain, footing drain, or any other storm water drain or make any such connection to any interceptor of the Metropolitan Water Reclamation District. Any such person, firm, partnership or corporation violating any provision of this Chapter shall, in addition to all other penalties provided for in this Chapter, be subject to the revocation of any business license or building permit issued to it to conduct business or engage in construction in the Village of Orland Park.

4-7-3: MAINTENANCE OF SANITARY SERVICES:

The proper maintenance and operation of a building service sewer, house connection or sanitary sewer line up to the point of connection to the Village sanitary sewer system shall be the responsibility of the owner of the premises served by the sanitary sewer system. Maintenance means keeping the sanitary sewer connection, sewer lines or other sewer facilities or structures in satisfactory working condition and good state of repair (including, but not limited to, preventing any obstruction therein, preventing extraneous materials or flows from entering the facilities, protecting the facilities from any damage and keeping the facilities free from defects or malfunctions), and taking all necessary action to assure that the 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.

Sump pumps installed to receive and discharge floor drain flow, laundry tubs or other sanitary sewage shall be connected to the sanitary sewers. A sump pump shall be used for one function only, either the discharge of storm waters, or the discharge of sanitary sewage.

4-7-4: ENFORCEMENT:

It shall be the duty of the Village Plumbing Inspector (hereinafter referred to as the Enforcement Officer) to enforce the provisions of this Chapter. The Enforcement Officer shall issue all necessary notices to inspect, test and abate all illegal connections into the sanitary sewer of the Village.

Whenever the Enforcement Officer determines that there is a violation of this Chapter or has reasonable grounds to believe that a violation does exist, he shall give notice to the owner or to the person responsible therefor in the following manner: such notice shall be in writing, shall describe the real estate and contain a statement for the reason or reasons why it is being issued and, where applicable, include a correction order allowing for a period not to exceed forty five (45) days for the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this Chapter. Such notice shall be deemed to be properly served upon such owner if a copy is delivered to him personally, or by leaving the notice at the usual place of abode, in the presence of someone in the family of suitable age and discretion who

shall be informed of the contents thereof, or by certified or registered mail, addressed to the owner at the last known address with return receipt requested.

Within forty five (45) days after notice to the property owner by the Village of the presence of illegal sanitary sewer connections, the property owner shall, at his or its expense, disconnect all illegal sanitary sewer connections and shall take all necessary action to discontinue all discharges of direct or indirect extraneous flows into the sanitary sewer system.

In the event the Village shall advance for the benefit of the property owner any sums to be used by the property owner in the abatement of any illegal sanitary sewer connection then, and in that event, all sums so advanced shall become a lien upon the property owner's real estate until repaid as directed by the Board of Trustees of the Village. The Village may file a notice of lien in the office of the Recorder of Deeds and the notice filed shall set forth (1) a description of the real estate sufficient for identification thereof, and (2) the amount of money advanced on the part of the property owner and the balance then unpaid. Upon payment of the sums due the Village, the lien shall be released by the Village. The lien may be enforced by proceedings to foreclose as in case of mortgages or mechanics' liens.

4-7-5: TESTS AND INSPECTIONS:

In addition to visual inspections on the outside or the inside of the premises as indicated in Section 4-7-6 above, the Village may make other tests and inspections of the sanitary sewer systems as it deems necessary in order to locate such illegal connections and sources of extraneous flows as may exist. The provisions of this Chapter are in addition to, and not in lieu of, any other legal remedy available to the Village, including the right to institute legal proceedings to discover and order the disconnection of any illegal connections that are found to exist.

4-7-6: PENALTY

Any person, firm, partnership or corporation failing to allow the Village an inspection as provided in 4-7-6 of this Chapter, shall be in violation of this Chapter and shall be according to the fine schedule located in Appendix B for each offense of which such person shall be convicted. Each day such violation shall continue shall constitute a separate offense.

Any person, firm, partnership or corporation found to be in violation of the prohibitions of this Chapter and who has not disconnected said illegal connection by the October 1, 1997, date provided in 4-7-8 shall be fined \$1,000.00. Said fine shall be in addition to any other fines imposed by the terms of this Chapter. Each day such violation shall continue shall constitute a separate offense.

Any person, firm, partnership or corporation violating any other provision of this Chapter shall be fined according to the fine schedule located in Appendix B for each offense of which such person shall be convicted. Each day such violation shall continue shall constitute a separate offense.

SECTION 3:

This Ordinance shall be in full force and effect from and after its adoption and publication in pamphlet form as provided by law.