

CITY OF LE ROY
COUNTY OF McLEAN, STATE OF ILLINOIS

Ordinance No. 20-05-01-41

**AN ORDINANCE AMENDING TITLE 8; CHAPTER 4, SECTION 6
OF THE MUNICIPAL CODE
OF LE ROY, ILLINOIS
DISCHARGE INSPECTION PROGRAM**

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS

4th Day of May, 2020

PRESENTED: **May 4, 2020**

PASSED: **May 4, 2020**

APPROVED: **May 4, 2020**

RECORDED: **May 4, 2020**

PUBLISHED: **May 4, 2020**

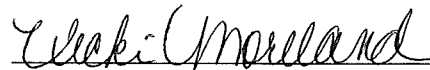
In Pamphlet Form

Voting "Aye" 7

Voting "Nay" 0

The undersigned being the duly qualified and Acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned **ordinance** and that such **ordinance** was presented, passed, approved, recorded and published as above stated.

(SEAL)



Vicki Moreland
City Clerk of the City of
Le Roy, McLean County, Illinois

Dated: **May 4, 2020**

ORDINANCE NO. 20-05-01-41

AN ORDINANCE AMENDING TITLE 8; CHAPTER 4 OF THE MUNICIPAL CODE OF LE ROY, ILLINOIS

WHEREAS, the Mayor and City Council of the City of Le Roy, McLean County, Illinois, an Illinois municipal corporation, has enacted Municipal Code Regulations for the purpose of improving and protecting the public health, safety, comfort, convenience, and general welfare of the people; and

WHEREAS, the Mayor and the City Council have previously enacted City ordinances to control the improper connection of certain discharges into the public sanitary sewer system; and

WHEREAS, the Wastewater Treatment Plant Superintendent has reason to believe that property owners may, intentionally or unintentionally, be improperly discharging certain waters into the public sanitary sewer system; and

WHEREAS, it is in the best interest of the City to inspect and ensure that such improper drainage is removed and discontinued to defray unnecessary chemical treatment as well as unneeded wear and tear on wastewater treatment machinery; and

WHEREAS, the proposed inspection program is the least invasive method in which the City can guarantee such removal; and

NOW, THEREFORE BE IT ORDAINED, by the City Council of the City of Le Roy, Illinois in lawful meeting assembled on Monday, May 4, 2020, as follows:

SECTION 1. Title 8 – Water and Sewer, Chapter 4 – Sewer Use and Service, Section 6 –Discharges Into Public System, shall be amended as follows:

§8-4-6 Discharges Into Public System

A. Storm And Surface Water Runoff; Storm And Combined Sewers:

1. Prohibited Discharges Into Sanitary Sewers And Open Drains:

a. No person shall discharge, or cause to be discharged, any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewers.

b.

(1) After the effective date hereof, no person within the City shall make any connection into the existing storm or existing field tile sewer system within the City's boundaries for the purpose of discharging

industrial or domestic waste into said system, unless said industrial or domestic waste shall meet all requirements.

(2) If any person, firm or corporation shall violate the provisions of this Subsection A1b, the City shall direct the City attorney to seek an injunction prohibiting such person, firm or corporation from making or using such connection.

(3) The City shall be responsible for enforcement of this Subsection **A(1)(b)**. The superintendent shall prepare a program of enforcement to ensure compliance with this Subsection **A(1)(b)**.

c. It shall be unlawful for any person, firm, corporation or institution, public or private, to connect, or cause to be connected, any drain carrying, or to carry, any toilet, sink, basement, septic tank, cesspool, industrial waste, or any fixture or device discharging polluting substances to any open ditch, drain, or drainage structure installed solely for street or highway drainage purposes of the City. Any person, firm, or corporation violating this Subsection A1c shall be subject to penalty as provided in Title 1, Chapter 1-4, of this Code for each offense, and a separate offense shall be deemed committed for each and every day during which a violation continues or exists.

2. Discharge Of Surface Waters Into Appropriate Outlets:

a. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the City Council.

b. Industrial cooling water or unpolluted process waters may be discharged, on approval of the City Council, to a storm sewer, combined sewer, or natural outlet.

3. Prohibited Discharge Inspection Program

a. Beginning in 2020, the City Council will begin a Prohibited Discharge Inspection Program overseen by the Superintendent of the LeRoy Wastewater Treatment Plant. The corporate limits of the City will be divided into quadrants for inspection purposes.

b. Once a quadrant area has been identified for inspection, the City Administrator will send out a letter on behalf of the Superintendent notifying owners (person, firm, or corporation) of the expected inspection date(s) of his/her building/residence and asking the owner to call in to City Hall and schedule a date and time for the inspection. Such letter will also notify the owner of his/her option to utilize a licensed private plumber to conduct the inspection and the cost of the owner.

c. Once scheduled, each building and residence will be inspected for any prohibited discharges into sanitary sewers and open drains as defined in §8-4-5(I) and §8-4-6(A) of this Code. If any prohibited discharges in violation of this Section are located during the inspection, the owner of the building/residence will be notified in writing and will have ninety (90) days from the receipt of the notification to correct the improper connection or drainage and provide proof of such correction to the Superintendent. Expenses related to such correction will be borne by the property owner.

d. In the event an owner fails to correct a noted violation, the City Administrator shall instruct the City Attorney to seek an injunction prohibiting such person, firm, or corporation from making or using such connection and ordering the removal of such connection from the City sanitary sewer or open drains. The City may, in its discretion, seek attorney's fees from any enjoined owner to cover the cost of enforcement of this program.

B. Prohibited Discharges: No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

1. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
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 any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
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 works.
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 grinders.

C. Restricted Discharges:

1. 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 superintendent, that such wastes can harm either the sewers, sewage treatment process, or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, public property, or

constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and maximum limits established by regulatory agencies. The substances prohibited are:

- a. Any liquid or vapor having a temperature higher than 150° F. (65° C.).
- b. 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.).
- c. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of 3/4 horsepower or greater shall be subject to the review and approval of the City superintendent.
- d. Any waters or wastes containing strong acid, iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- e. Any waters or wastes containing iron, chromium, copper, zinc, or similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the City Council for such materials.
- f. Any waters or wastes containing phenols or other taste producing or odor producing substances, in such concentrations exceeding limits which may be established by the City Council as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
- g. Any radioactive wastes or isotopes of such half life or concentration as may exceed limits established by the City Council in compliance with the applicable state or federal regulations.
- h. Any waters or wastes having a pH in excess of 9.5.
- i. Any mercury or any of its compounds in excess of 0.0005 milligrams per liter as Hg at any time except as permitted by the City Council in compliance with applicable state and federal regulations.
- j. Any cyanide in excess of 0.025 milligrams per liter at any

time except as permitted by the City Council in compliance with applicable state and federal regulations.

k. Materials which exert or cause:

(1) Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

(2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

(3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

(4) Unusual volume of flow or concentrations of wastes constituting "slugs" as defined herein.

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

2. 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 Subsection C1 of this section, and/or which are in violation of the standards for pretreatment provided in Chapter I, EPA Rules and Regulations, Subchapter D, Water Programs, Part 4403 Pretreatment Standards, and any amendments thereto, and which, in the judgment of the City, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the City may:

a. Reject the wastes;

b. Require pretreatment to an acceptable condition for discharge to the public sewers;

c. Require control over the quantities and rates of discharge; and/or

d. Require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges; under the provisions of Subsection 8-4-9C of this chapter.

If the City permits the pretreatment or equalization of waste flows, the design and

installation of the plants and equipment shall be subject to the review and approval of the City superintendent and subject to the requirements of all applicable codes, ordinances, and laws.

3. The City has authorized that impacts on water quality from discharges from the combined sewer overflows that receive nondomestic waste are to be minimized. The City is further authorized to determine which nondomestic wastewater discharges are tributary to any combined sewer overflows and the City may, at its discretion, review and modify these provisions to control pollutants sourced from said combined sewer overflows.

SECTION 2. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

PASSED by the City Council of the City of Le Roy, Illinois, upon the motion made by Rick Kline and seconded by Greg Steffen by roll call vote on the 4th day of May, 2020 as follows

Aldermen elected 8

Aldermen Present 7

Voting Aye:

Dawn Hanafin, Rick Kline, Kyle Merkle, Kelly Lay, Ron Legner, Matt Steffen, Greg Steffen.

Voting Nay:

None

Absent:

Brad Poindexter

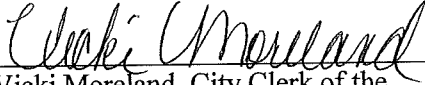
Abstain:

None


Other:

None

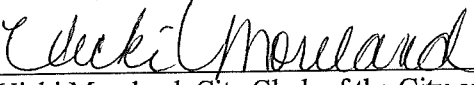
And deposited and filed in the office of the City Clerk in said municipality on the 4th day of May, 2020.


Vicki Moreland, City Clerk of the
City of Le Roy
Mc Lean County, Illinois

APPROVED BY the Mayor of the City of Le Roy, Illinois, this 4th day of May, 2020


Steven M. Dean, Mayor of the City of Le Roy,
Mc Lean County, Illinois

ATTEST: (SEAL)


Vicki Moreland, City Clerk of the City of Le Roy
Mc Lean County, Illinois

CERTIFICATE

I, Vicki Moreland, certify that I am the duly appointed and acting municipal clerk of the City of Le Roy, of McLean County, Illinois.

I further certify that on **May 4, 2020** the Corporate Authorities of such municipality passed and approved **Ordinance No. 20-05-01-41**

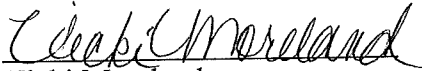
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Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of **Ordinance No. 20-05-01-41**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on **May 4, 2020** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois this 4th day of May, 2020.

(SEAL)


Vicki Moreland
City Clerk of the City of
Le Roy, McLean County, Illinois

STATE OF ILLINOIS)
) SS:
COUNTY OF MCLEAN)

I, Vicki Moreland, do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

**AN ORDINANCE AMENDING TITLE 8; CHAPTER 4, SECTION 6
OF THE MUNICIPAL CODE
OF LE ROY, ILLINOIS
DISCHARGE INSPECTION PROGRAM**

I do further certify said *ordinance* was adopted by the City Council of the City of Le Roy at a regular meeting on the 4th day of May, 2020 and prior to the making of this certificate the said ordinance was on file with the permanent records of said City where it now appears and remains as a permanent record of said ordinance in the record books.

Dated this 4th day of May, 2020

(SEAL)

Vicki Moreland
Vicki Moreland, City Clerk of the
City of Le Roy,
McLean County, Illinois