

CHAPTER 7**WATER AND SEWER****DIVISION 1 - DEFINITIONS**

SEC. 7.1-1 TOWN. The word "Town" whenever the same appears herein, means the Town of Normal, McLean County, Illinois, a municipal corporation.

SEC. 7.1-2 OWNER. The word "Owner" whenever found in this text means the person or persons whose name/s appears on the property title of premises served or about to be served water from the Town of Normal.

SEC. 7.1-3 CUSTOMER. The word "Customer" whenever found in this text means the person or persons contracting for water service from the Town to a premises as owner or renter of said premises.

SEC. 7.1-4 WATER DEPARTMENT OR WATER UTILITY. The term "Water Department" or "Water Utility" whenever found in this text shall mean the Water Department of the Town of Normal, Illinois.

SEC. 7.1-5 MAIN OR WATERMAIN. The word "Main" or "Watermain" whenever found in this text shall mean the underground water conduit located in the Public Right-Of-Way or easement (express, implied, or prescriptive) of the Town, used for transporting potable water from the treatment works to the customer's service connection.

SEC. 7.1-6 WATER SERVICE CONNECTION. The term "Water Service Connection" whenever found in this text means a pipe or tubing and appurtenances connected to the watermain and extending to the customer's property line for the purpose of supplying water to the owners service pipe.

SEC. 7.1-7 TEMPORARY WATER SERVICE CONNECTION. The term "Temporary Water Service Connection" whenever found in this text shall mean a connection providing water service to a premises for any described purpose for which the period of service is for less than one year.

SEC. 7.1-8 CONSTRUCTION WATER SERVICE CONNECTION. The term "Construction Water Service Connection" whenever found in this text shall mean a connection providing water service to a premises for construction purposes and for which the period of service is the time necessary to complete the construction project.

SEC. 7.1-9 PROPERTY LINE. The term property line whenever found in this text shall mean the boundary or lot line adjacent to the public right-of-way or easement in which the water main is contained.

SEC. 7.1-10 OWNER'S SERVICE, OR SERVICE. The term "Owner's Service" or "Service" whenever found in this text shall mean the pipe or tubing and appurtenances used to conduct water from the service connection at the property line and into the owner's or customers premises.

SEC. 7.1-11 METER. The word "Meter" whenever found in this text shall mean the mechanical or electrical device together with any connections to remote readout devices which measures and registers the quantity of water supplied to a customer.

SEC. 7.1-12 CURB STOP. The word "Curb stop" whenever found in this text means the underground shut-off valve or stop owned by the Town and generally located at the owner's property line for connection to the customers service.

SEC. 7.1-13 FIRE HYDRANT. The term "Fire Hydrant" whenever found in this text shall mean any of several hydrants located throughout the Town solely for the purpose of supplying water for fire protection. Hydrants are classified as either:

- A. Public Hydrant - Those hydrants are located in the public right-of-way, and are owned and maintained by the water utility.
- B. Private Hydrant - Those hydrants located on private property and which are under private ownership but are directly connected to the Town's distribution system.

SEC. 7.1-14 DISTRIBUTION SYSTEM. The term "Distribution System" whenever found in this text shall mean any of several mains, valves, service connections, hydrants or other appurtenances used for controlling and transporting water from the treatment plant to the owner's service.

SEC. 7.1-15 OVER REGISTER. The term "Over Register" whenever found in this text shall mean the amount of water actually passing through a water meter is less than the amount indicated by the meter register as having passed through the meter.

SEC. 7.1-16 BACKFLOW. The term "Backflow" whenever found in this text shall mean water of questionable quality, wastes or other contaminants entering a public water supply system due to a reversal of flow.

SEC. 7.1-17 CROSS-CONNECTION. The term "Cross-connection" whenever found in this text shall mean a connection or arrangement of piping or appurtenances through which a backflow could occur.

SEC. 7.1-18 SAFE AIR GAP. The term "Safe Air Gap" whenever found in this text shall mean the minimum distance of a water inlet or opening above the maximum high water level or overflow rim in a fixture, device or container to which public water is furnished which shall be at least two (2) times the inside diameter of the water inlet pipe; but shall not be less than one (1) inch and need not be more than twelve (12) inches.

SEC. 7.1-19 SECONDARY WATER SUPPLY. The term "Secondary Water Supply" whenever found in this text shall mean a water supply maintained in addition to a public water supply, including but not limited to water systems from ground or surface sources not meeting the requirement of State of Illinois Chapter six regulations, or water from a public water supply which in any way has been treated, processed or exposed to any possible contaminant or stored in other than an approved storage facility.

SEC. 7.1-20 SUBMERGED INLET. The term "Submerged Inlet" whenever found in this text shall mean a water pipe or extension thereto from a public water supply terminating in a tank, vessel, fixture or appliance which may contain water of questionable quality, waste or other contaminant and which is unprotected against backflow.

SEC. 7.1-21 DEFINITIONS.

- A. Federal Act means the Federal 1996 Safe Drinking Water Acts Amendments.
- B. Administrator means the Administrator of the U.S. Environmental Protection Agency.
- C. State Act means the Illinois Anti-Pollution Bond Act of 1970.
- D. Director means the Director of the Illinois Environmental Protection Agency.
- E. State Loan shall mean the State of Illinois participation in the financing of the construction of water works as provided for by the Illinois Anti-Pollution Bond Act and for making such loans as filed with the Secretary of State of the State of Illinois.
- F. Town means the Town of Normal.
- G. Approving Authority means the President and Board of Trustees of the Town of Normal.
- H. Person shall mean any and all persons, natural or artificial including any individual, firm, company, municipal, or private corporation, association, society, institution, enterprise, governmental agency or other entity.
- I. Shall is mandatory; may is permissible.
- J. ppm means parts per million by weight.
- K. Milligrams per Liter shall mean a unit of the concentration of water constituent. It is 0.001 g of the constituent 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 analysis.
- L. pH shall mean the logarithm (base 10) of the reciprocal of the hydrogen-ion concentration expressed by one of the procedures outlined in the IEPA Division of Laboratories Manual of Laboratory Methods.
- M. Curb Cock shall mean a shutoff valve attached to a water service pipe from a water main to a building installed near the curb, which may be operated by a valve key to start or stop flow in the water-supply lines of a building. Also called curb stop.

- N. Easement shall mean an acquired legal right for the specific use of land owned by others.
- O. Service Box shall mean a valve box used with a curb cock.
- P. Water Service Charge shall be the charge levied on all users of the Water Facilities. The service charge shall consist of the total of the Basic User Charge and the Local Capital Cost if applicable.
- Q. User Charge shall mean a charge levied on users of water works for the cost of operation, maintenance and replacement.
- R. Basic User Charge shall mean the basic assessment levied on all users of the public water system.
- S. Debt Service Charge shall be the amount to be paid each billing period for payment of interest, principal and coverage of outstanding debt for the Water Department.
- T. Capital Improvement Charge shall mean a charge levied on users to improve, extend or reconstruct the water works.
- U. Local Capital Cost Charge shall mean charges for costs other than the Operation, Maintenance and Replacement costs. Such charge shall consist of debt service and capital improvement costs.
- V. Replacement shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the works to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.
- W. Useful Life shall mean the estimated period during which the water works will be operated.
- X. Water Fund is the principal accounting designation for all revenues received in the operation of the water system.

(Entire SEC. 7.1-21 Added 12/16/02 by Ord. No. 4842)

(ENTIRE DIVISION 1 AMENDED 9/21/81)

DIVISION 2 - GENERAL PROVISIONS

SEC. 7.2-1.

- A. This Code is not intended to abrogate any covenant, lease, or other private agreement, provided that when the requirements of this Code are more restrictive than such covenants, leases or private agreements, the requirements of this Code shall govern.
- B. Where the conditions imposed by any provision of this Code are either more or less restrictive than conditions imposed by any other provisions of the Municipal Code or any other law, ordinance, resolution, rule or regulation applicable to providing Municipal water service, the regulation which is more restrictive or imposes the higher standard or requirement shall govern.

SEC. 7.2-2. The office of Water Director heretofore established by ordinance is hereby retained. The Water Director shall be appointed by the City Manager and is responsible for the planning, organizing, controlling and supervising of all departmental functions to insure an adequate supply of potable drinking water that is bacteriologically and chemically safe and aesthetically pleasing to its users, and to receive payment with the assistance of the Finance Director and his staff on behalf of the Town for all services it supplies to its customers.

SEC. 7.2-3 ACCESS TO HOMES. The employees of the water system shall have the right at all times of access to any person's premises for the purpose of ascertaining the number and type of water connections to the system, to read the water meter, and to inspect service lines. Any person refusing the right to permit the said employees of the water system the above-described right of access to his premises or to make necessary reasonable repairs shall be subject to prosecution and penalty as hereinafter provided.

SEC. 7.2-4 RESTRICTED AREAS. The water reservoirs, the various well houses and pumping stations serving the water system of the Town of Normal and all of the water treatment plant located between the Illinois Central right-of-way on the west, Linden Street on the east, Mulberry Street on the north, and College Avenue on the south are deemed to be "restricted areas"; and that the general public is forbidden to be upon or within said premises, and particularly within the confines of any fenced off area so posted, unless permission has been first obtained from the Water Director or other person or persons authorized and designated by the City Manager.

SEC. 7.2-5 POSTING AND PENALTY. The Water Director is herewith directed to place "restricted area" warning signs around the confines of all buildings or properties heretofore designated, and any person or persons found within any of said buildings or about said premises and within the confines of any fenced off area shall be deemed trespassing.

SEC. 7.2-6 FLUORIDATION. The water supply of Normal shall be treated with the addition of fluoride so as to provide a residual fluoride ion concentration of between .9 and 1.2 milligrams per liter (Reported as F) in the distribution system, as required by Section 7a of "An Act to Provide for Safeguarding the Public Health by Vesting Certain Measures of Control and Supervision in the Department of Public Health Over Public Water Supplies in the State" (45 ILCS 40/71). (Amended 6/7/93 by Ord. No. 4143)

SEC. 7.2-7 ELECTRICAL GROUNDING. The Town of Normal shall not be held liable for any personal injury or property damage resulting from an inadequate electrical ground where the Town's water piping is used as grounding electrode. The Town shall not be liable for the adequacy of any grounding system and reserves the right to make any structural or material changes in the installation of water mains and water service connections without regard to the effect such changes may make on the overall adequacy of a grounding system utilizing the owner's water service pipe and/or the Town's water meter.

(ENTIRE DIVISION 2 AMENDED 9/21/81)

DIVISION 3 - APPLICATION FOR (METERED WATER) SERVICE

SEC. 7.3-1. Metered water service will be provided to an applicant only on the approval of an application made by phone or in writing to the Water Department. Upon approval thereof the application shall constitute a contract between the applicant as a customer and the Water Department obligating the applicant to pay for water service in accordance with applicable rate schedule as provided for in SEC 7.7.

If the application is accepted verbally the customer shall, when requested by the Water Department, sign a written application.

SEC. 7.3-2. The Water Department reserves the right to deny service to any customer who has changed their residence from one location to another served by the water utility until any and all delinquent or unpaid water bills or any other bill of the Town of Normal where a request has duly been made for payment, charged against the former residence have been paid in full.

SEC. 7.3-3. No application for water service will be accepted and water will be discontinued at those properties until delinquent or unpaid bills resulting from a previous tenant are paid in full. It is the prospective water customer's responsibility to ascertain if there are any outstanding water service debts.

SEC. 7.3-4 SERVICE APPLICATION/TRANSFER FEE: All applications for water service and all requests to transfer water service billing to any customer shall be charged at \$25.00 application/transfer fee, which shall be added to the bill and deemed a charge for water services. (Added 2/4/02 by Ord. No. 4771 – Effective April 1, 2002)

(ENTIRE DIVISION 3 AMENDED 9/21/81)

DIVISION 4 - WATER SERVICE CONNECTIONS

SEC. 7.4-1. No connection shall be made to the Municipal water system without written permission from the Water Director, or authorized designee. Any connections or openings made into the water system without such permission or in any manner different from the above-prescribed hereafter shall be deemed in violation of and subject to the penalties as set forth in SEC. 7.14-1 of this Code.

SEC. 7.4-2. All service connections into existing watermains shall be made only by the Water Department and paid for by the customer. Dry taps made into new mains not yet accepted for maintenance by the Town, shall be made only by the Water Department or a licensed plumber certified by the State of Illinois. All such taps shall be left uncovered until inspected by the Water Department.

SEC. 7.4-3. A water service connection will not be allowed where any portion of the owner's service pipe must pass through lands, buildings or parts of buildings which are not the property of the owner, or across a platted lot to serve another platted lot each owned by the permit applicant.

SEC. 7.4-4. Every dwelling unit or structure served Municipal water from the Town of Normal shall have an individual water service line connected to the city watermain and be provided with a curb stop (valve) and valve box at the property line. The service shall terminate within two (2) feet upon entrance to the structure and thereafter an accessible space shall be provided for an adequately sized water meter. No branch connections may exist between the property line and the meter and no dwelling unit may be supplied water from another dwelling unit or structure.

SEC. 7.4-5. In the case whereby multiple meter settings on a single service line are desired by owners of apartments or condominiums, the following additional conditions must be met:

- A. Each dwelling unit in an apartment or condominium complex must have an individual service line adequately sized to provide sufficient pressure and volume to serve each unit within the structure. Adequacy shall be defined in SEC. 7.4-10 of this Code.
- B. A separate room apart from any living area and accessible from the outside without passing through any living area must be provided for the water meters. The water service line must enter this room without passing through any other exposed area of the structure.
- C. Meters must be neatly arranged and be permanently tagged denoting the dwelling unit that each meter serves. Valves must be provided on both sides of the meter with the upstream valve of the plug or ball cock design with padlock wings.

SEC. 7.4-6. Existing dwelling units or structures that do not meet the provisions of this Chapter shall be allowed continued use of water supply service facilities until the earlier of the following events: (1) alteration or replacement of such water supply service facilities, or (2) two delinquent water bills within any twelve month period.

Upon the occurrence of either of the foregoing events, the owner of the dwelling unit or structure with non-conforming water supply service facilities shall modify, alter or replace such facilities in order to comply with the requirements of this Chapter. Such alteration, modification or replacement shall be completed within thirty (30) days of notice from the Water Director or such other deadline as established by the Water Director. In lieu of alteration of a water supply system, an owner of property or condominium association which has received notice from the Water Director pursuant to this SEC. 7.4-6 to modify or alter a water supply system may enter into an agreement whereby all water bills for the property or condominium association become the responsibility of the owner or condominium association. The Water Director is authorized to enter into such water billing agreements upon the following conditions:

1. The agreement is only for owners of property or condominium associations who have received a notice to modify their water supply system due to unpaid water bills.
2. The agreement must require the payment of the entire water bill for all units serviced by the non-conforming water supply system.

In the event the owner of the dwelling unit or structure containing the non-conforming water supply service facility fails to alter, modify or replace such facilities within the time set by the Water Director, or fails to abide by an agreement made pursuant to this SEC. 7.4-6 the Water Director is authorized to institute any appropriate action or proceeding at law or equity to obtain compliance with this Chapter. (SEC. 7.4-6 Amended 3/4/02 by Ord. No. 4779)(SEC. 7.4-6 Amended 6/16/03 by Ord. No. 4875)

SEC. 7.4-7. Owners of premises served water by the Town are responsible for all costs incurred in the installation and maintenance of all water service lines on the property being served. The water utility will not install, make repairs or cause repairs to be made to any water service lines located on private property. If a leak is detected on private property, and it is determined to be unmetered, the owner will receive notice and be directed to repair same within five (5) days or service will be discontinued. If a leak is deemed to create an imminent hazard to public health, service will be terminated immediately without prior notice.

SEC. 7.4-8. Owners shall be required to pay the water utility for a reasonable estimate of the quantity of unmetered water that was lost through leakage.

SEC. 7.4-9. All new construction and reconstruction of water service lines and appurtenances must conform in all respects to AWWA C800 standards of latest revisions. Service pipe must be "Type K" seamless copper tubing conforming to ASTM specification B-88-62, and fittings must be of red brass conforming to ASTM B-62 specifications. The thread form for the inlet side of all corporation stops must be what is commonly known to the trade as the Mueller thread. Curb boxes must be of the cast iron, or an approved plastic, extension type with arch pattern base. Plastic, if used, must be impregnated with a material creating a magnetic field for locating with ferromagnetic locators.

SEC. 7.4-10. Application for a water service connection will be accepted and approved only if there is a watermain adjacent to the property being served and connection thereto does not adversely affect the pressure and volume of the watermain. Adequate pressure and volume shall be determined as:

- A. Static pressure shall be maintained at a minimum of 40 psi in the main as measured at the nearest tap or fire hydrant connection.
- B. Fire hydrant capacity must be maintained at a minimum of 600 gallons per minute flowing with a residual pressure of not less than 25 psi.

SEC. 7.4-11. No connections shall be permitted on substandard watermains except for single family dwellings where prior approval has been obtained from the Director of Water. Substandard watermains are those less than six (6) inches in diameter or composed of any material other than type K copper, cast of ductile iron, or PVC plastic.

SEC. 7.4-12. Water service connections shall be sized by the Water Department and all decisions relative to size, material, and manner of installation shall be determined by the Water Department.

SEC. 7.4-13. Water service connections and service piping shall be installed at the owner's expense. The Town shall retain ownership of and maintain at its own expense, all piping and appurtenances from the point of connection to the watermain and up to and including the curb stop at the customer's property line. The owner service pipe shall be installed and maintained at the expense of the owner subject to approval of the Water Department in the specification of size, type of materials, and manner of installation.

SEC. 7.4-14. All water service connections and piping shall be maintained at a depth of four (4) feet minimum burial to prevent freezing or be properly insulated as approved by the Director of Water.

(ENTIRE DIVISION 4 AMENDED 9/21/81)

DIVISION 5 - TEMPORARY WATER SERVICE CONNECTIONS

SEC. 7.5-1. Temporary water service shall be allowed for providing water on a temporary basis for construction, recreational purposes, irrigation, filling of swimming pools or other large vessels, or any other reasonable purpose providing the duration of the connection is for less than one year.

SEC. 7.5-2. Water for construction purposes will be provided under the following conditions:

- A. The service connection must be in accordance with the provisions of Division 7.4 of this Code.
- B. Lawn irrigation, tree planting or other landscaping practices will not be allowed on an unmetered water service either temporary or permanent, and shall constitute an illegal use of water and be subject to the penalties as set forth in SEC. 7.14-1 of this Code.
- C. The temporary service shall not be connected to finished piping within a structure except for the purpose of hydrostatic testing whereupon the bypass mechanism must be removed. Meter bypasses or jumpers left in place after testing shall constitute an illegal connection and be subject to the penalties as set forth in Division 7.14 of this Code.
- D. Any water consumption deemed to be wasteful or excessive may result in termination or require a meter to be installed at the owner's expense.
- E. Fees for unmetered construction water shall be assessed and paid as set forth in SEC. 11.4-2 (B)(7)(d) of the Municipal Code, Town of Normal, Illinois, 1969, as amended. (Amended 2/16/87)

SEC. 7.5-3. Temporary service fees for other than construction water shall be based on volumetric measurement, or metered, as determined by the Water Department. If metering is required it is the customer's responsibility to provide adequate protection for the meters from accidental damage, vandalism or freezing.

(ENTIRE DIVISION 5 AMENDED 9/21/81)

DIVISION 6 - METERS

SEC. 7.6-1 METERS REQUIRED. All services in the Town of Normal shall be metered. Meters shall be provided by, set and sealed by the Normal Water Department. The cost of the meter and installation shall be borne by the customer as a cost of providing water service and does not convey ownership of said meter to the customer but remains the property of the Town of Normal.

All new or replacement meters shall be provided with a remote read out device located on the outside of the premises or as approved by the Director. The physical location shall be such that the height shall not exceed five (5) feet or be less than three and one-half (3 1/2) feet from permanent grade. This location shall be such that the remote reader is readily available and accessible to meter reading personnel. It shall not be screened or otherwise obstructed by trees, shrubs, bushes, or any fences or other structures that impede access to the remote device from Town employees for the purpose of reading or servicing.

SEC. 7.6-2 LOCATION. Water meters shall be located inside the premises whenever possible and shall not exceed two (2) feet in distance from where the service enters the building. No connections are allowed to exist on any piping between the service and the meter unless specifically approved, in writing, by the Water Department and are used solely for the purpose of fire protection.

There shall be a suitable place provided for the water meter so as to keep it dry, clean, and accessible at all reasonable times to meter readers or servicemen of the Town of Normal.

SEC. 7.6-3 SIZING OF METERS. For buildings other than single-family dwellings, the sizing of the meters shall be approved by the Water Department at the time of application for a water service. The size of meters so specified shall be subject to change as the demand for water or other conditions may develop. The Water Department reserves the right to require an increase in the size of a meter whenever piping changes or water uses indicate present sizing to be inadequate.

Meters larger than two (2) inches, nominal pipe size, are required to have a bypass with a minimum of three (3) valves arranged to permit repair or replacement of the meter without interruption of service. The bypass valve shall be sealed by the Water Department.

All services regardless of size shall have valves installed immediately upstream and downstream of the meter.

SEC. 7.6-4 PROTECTION OF METERS. Owners or occupants of premises served by the Normal Water Department shall provide adequate protection for water meters against freezing, hot water damage, or any other physical abuse resulting in damage to the meter. Where meters are damaged or caused to mal-function as a result of negligence, gross negligence, or willful abuse, all costs of repair or replacement of said meter shall be incurred by the owner of the premises and shall be payable when bills are rendered. In all cases where meters require repair or replacement because of negligence or gross negligence, such service shall not be resumed until corrective action has been taken by the customer to prevent recurrent damage to the meter.

SEC. 7.6-5 DISCONTINUANCE OF SERVICE. Whenever an owner or occupant of a premises requests or is required to discontinue service, either temporarily or permanently, notification shall be given the Water Department for the removal of the meter. The owner of the premises shall be held responsible for the meter until removed and if the meter is damaged or lost, he shall be required to pay the replacement cost of the meter.

SEC. 7.6-6 LIABILITY. The Town of Normal shall not be liable for personal injury or property damage resulting from leaking meters, valves, or other appurtenances required for the provision of water service.

SEC. 7.6-7 METER TESTS.

- A. The Town or any customer may request a test of its meter to determine its accuracy. Prior to a test requested by a customer, the customer shall deposit \$15.00 cash and shall be given notice as to the time and place of the test by the Water Department, and the customer and/or his representative may be present at the test which will be conducted during regular business hours.
- B. If the meter tests out to be accurate or over registers by 2% or less, then the \$15.00 shall be forfeited by the customer.
- C. If the meter over registers by more than 2%, then the \$15.00 shall be refunded and the amount of over-register shall also be refunded to the customer for the period over-register occurred but not exceeding six (6) months.
- D. If the meter is found to be registering less than 75% of actual usage, the \$15.00 shall be forfeited and the customer shall be billed for the undercharge for the period under-register occurred, but not exceeding six (6) months.
- E. If a meter does not register, the customer shall be billed at the minimum monthly rate or upon an estimate of consumption based on past usage.
- F. Subsection (A) notwithstanding, if a customer has not had his meter tested for five (5) years or more, then that meter may be tested without the requirement of a \$15.00 deposit. If the meter is found to be malfunctioning, water bill adjustments shall be made in accordance with this Section.

SEC. 7.6-8 NOTICE: Prior notice of a minimum of forty-eight (48) hours must be received at the Water Department before installation of a meter will proceed. Meters two (2) inches and larger must be preceded by notice of at least ninety (90) days to allow for ordering and shipping of the meter. All costs of installation must be paid in advance before a meter will be set.

(ENTIRE DIVISION 6 AMENDED 9/21/81)

DIVISION 7 - WATER RATES, BILLING, PAYMENTS

SEC. 7.7-1 RATES. Rates and charges for the availability of use of, and service provided by, the Town's water system are hereby established as follows, with the number of gallons being the amount of water metered or used, whichever is greater:

a. Bi-monthly system maintenance fee of \$7.50 effective October 1, 2009, \$8.10 effective April 1, 2010, \$9.10 effective April 1, 2011, \$10.10 effective April 1, 2012, and \$11.10 effective April 1, 2013 plus (Added 2/6/06 by Ord. No. 5051, Eff. 4/1/06)(Amended 7/20/09 by Ord. No. 5280)

b. \$4.95 effective October 1, 2009, \$5.10 effective April 1, 2010, \$5.40 effective April 1, 2011, \$5.73 effective April 1, 2012, and \$6.07 effective April 1, 2013, per 1,000 gallons (Amended 2/15/82, Eff. 4/1/83)(Amended 2/20/84, Eff. 4/1/84)(Amended 3/5/90, Eff. 4/1/90)(Amended 3/16/92, Eff. 2/1/93)(Amended 9/18/95, Eff. 2/1/96)(Amended 5/4/98, Eff. 2/1/99)(Amended 1/22/02, Eff. 2/1/02)(Amended 2/3/03, Eff. 4/1/03)(Amended 2/7/05, Eff. 4/1/05)(Amended 2/6/06, Eff. 4/1/06)(Amended 2/4/08, Eff. 4/1/08)(Amended 7/20/09 by Ord. No. 5280)

All billings for water service shall be issued on a bi-monthly basis. The water service rates shall be revised periodically to reflect a change in local capital costs, operation, maintenance and replacement costs. (Amended 12/16/02 by Ord. No. 4842)(Amended 2/6/06 by Ord. No. 5051, Eff. 4/1/06)(Amended 2/4/08 by Ord. No. 5171)

c. New rates shall apply to all billings issued after the effective date of such rate increase. (Added 7/20/09 by Ord. No. 5280)

SEC. 7.7-2 RATE BASIS. The basis for computing bills for water service will be as indicated by the customer's water meter. The quantity registered by the meter will be accepted conclusively by user and utility as the amount of water passing through the meter except when the meter is found to be registering inaccurately or has ceased to register. If a customer disputes a bill or requests a meter test, such test and charges related thereto shall be conducted as specified in SEC. 7.6-7 of this Code.

SEC. 7.7-3 ACCESS. If for any reason the Town's meter reader cannot gain access to the customer's meter, the meter reader will leave a postcard at the customer's premises with instructions enabling the customer to read and record the reading on the card. Meter readings thus obtained shall be mailed to the Billing Department or phoned in during regular business hours. If the customer fails to provide the meter reading, an estimated bill (so designated) will be rendered. The estimated bill will be based on similar prior billing periods. Because of the possibility of undetected leakage only one billing in succession will be made on an estimated basis. If a meter reading is not obtained on the next billing date by the Town's meter reader or by the customer, the Water Department will discontinue service upon due notice of its intention to do so.

SEC. 7.7-4 DELINQUENCY, NOTIFICATION, PRE-TERMINATION HEARING AND TERMINATION OF SERVICES.

- A. In the event the charges for services are not paid within thirty (30) days after rendition of a bill for such service, such charges shall be deemed and are hereby declared to be delinquent.
- B. In the event the charges for such service become delinquent, the Finance Director is hereby authorized and directed to cause notice to be given in writing to the customer of the premises where such delinquency exists, that any customer believing such bill to be erroneous may request and appear at an administrative hearing before the Finance Director prior to termination and that absent such request or after the conclusion thereof, if the bill is found not to be erroneous, that such services shall be discontinued without further notice, by mailing a copy of such notice, addressed to the customer at the billing address of the property served.
- C. That the Finance Director be and he is hereby authorized and directed to adjust bills he finds to be "erroneous" based on Town records.
- D. Upon the discontinuation of any water service the following charges shall be collected for re-commencing service, provided, that the current account plus any delinquent charges shall also be paid before service is restored:
1. \$40.00 when performed during regular business hours.
 2. \$100.00 when performed at a time other than regular business hours.
 3. Business hours are from 8:30 A.M. to 5:00 P.M. daily, Monday through Friday, exclusive of any legal holidays regularly observed by the Town.
- (Subsection D Amended 2/19/91 by Ord. 3957)(Subsection D Amended 11/3/97 by Ord. No. 4480)(Subsection D Amended 3/19/07 by Ord. No. 5125)
- E. When a customer's service is disconnected for non-payment twice in a twelve (12) month period, a deposit in the amount of twice the estimated bi-monthly billing for that account will be required before service is restored. Deposits shall be retained until the customer has established a favorable credit rating with the Town of Normal for one year or until final billing, whichever comes first.
- F. When a customer's water service is discontinued for non-payment of bills or for repairs or for any other reason as specified in SEC. 7.8-2 of this Code, and water service piping and/or metering is not in accordance with current code standards, compliance with these standards or an agreement to comply within thirty days from a request to do so, shall be required before service is restored. The owner of the premises shall be responsible for and incur all expenses in performance of Code compliance, including new water meters wherever necessary. (Added 5/3/82)
- G. Nothing in this Section shall be construed as limiting or denying the Town of its statutory or other right of lien or other judicial proceeding against the owner or user of the property for any charges or expenses incurred. (Numbering amended 5/3/82)

SEC. 7.7-5 BILL FOR SERVICE. It is hereby made the duty of the Finance Director, or his designee, of the Town of Normal to render bills for service and all other charges in connection therewith and to collect all monies due thereon.

SEC. 7.7-6 REVENUES. All revenue and monies derived from the operation of the water system shall be recorded by the Finance Director, or his designee, separate and apart from all other funds of the Town, and all of said sum, without any deductions whatsoever, shall be delivered to one or more of the institutions listed in SEC. 2.3-45 of this Code, not later than one (1) business day after receipt of same.

SEC. 7.7-7 LIABILITY FOR PAYMENT. The owner of the premises, the occupant thereof and the user of the service shall be jointly and severally liable to pay for the services on such premises and the service is furnished to the premises by the Town of Normal only upon the condition that the owner of the premises, occupant, and user of the service are jointly and severally liable therefore to the Town of Normal. All bills for service shall be rendered for the preceding sixty (60) day period for which the service is billed, commencing with May 1, 1962, and running henceforth until further changed by said Town Council, and shall be payable not later than the close of business on the fifteenth (15th) day following the date of the bill as rendered. A penalty of ten (10) percent shall be added to all bills not paid within fifteen (15) days of the date of billing. When the fifteenth (15th) day of any month shall be Sunday or a legal holiday, then such bills for service shall be payable on the next succeeding secular day without any additional penalty. (SEC. 7.7-7 Amended 3/18/85)

SEC. 7.7-8 WATER FUND. The Finance Director shall receive all such revenue from the water system and all other funds and monies incident to the operation of such system as the same may be delivered to him and he shall deposit the same in a separate fund designated as the "Water Fund of the Town of Normal".

SEC. 7.7-9 ACCESS TO RECORDS. The Illinois Environmental Protection Agency and the United States Environmental Protection Agency, or their authorized representative, shall have access to any books, documents, papers and records of the Town of Normal which are applicable to the Town of Normal system of user charges for the purpose of making audit examinations, excerpts and transcriptions thereof to insure compliance with the terms of any grant or loan received by the Town of Normal from said agencies. (Added 12/16/02 by Ord. No. 4842)

SEC. 7.7-10 APPEALS. The method of computation of rates and service charges established for user charges in this division shall be made available to a user within ten (10) days of receipt of a written request for such computation. Any disagreement over the method used or in the computations thereof shall be remedied by the City Manager, or his designee, within ten (10) days after notification of a formal written appeal outlining the discrepancy. (Added 12/16/02 by Ord. No. 4842)

(ENTIRE DIVISION 7 AMENDED 9/21/81)

DIVISION 8 - DISCONTINUANCE OF SERVICE

SEC. 7.8-1. The Water Department undertakes to use reasonable care and diligence to provide a constant supply of water at a reasonable pressure, but reserves the right to turn off water in its mains for the purpose of making repairs or extensions or for other purposes. When water service is to be turned off temporarily advance notice will be given, when practicable, to all customers in the affected area, stating the probable duration of the interruption of service. The Town shall not be liable for any damage to a customer's equipment, piping or property resulting from shut down of the water system whether scheduled or non-scheduled, or for flooding as a result of failure of mains and appurtenances.

SEC. 7.8-2. The Town of Normal reserves the right to discontinue service to a customer for any one or more of the following reasons or conditions:

- A. Unauthorized use of or tampering with any curb stop, meter, meter seal or other property of the Water Department. Evidence of a broken meter seal or the insertion of a bypass or other connection for the purpose of obtaining unmeasured water will require the customer to pay for the Town's estimate of quantity of water which has been delivered and not registered, plus the cost to restore the meter to proper working order and any other necessary expense.
- B. Non-payment for service rendered to the customer.
- C. The existence of any piping cross-connection with any other source of supply or apparatus which may endanger the quality of the Town's water supply.
- D. Refusal of reasonable access to the premises for the purpose of inspecting, reading, repairing or removal of a meter.
- E. Failure to repair any defect or leak in a service pipe within five (5) days after discovery.
- F. Violation of curtailment regulations during declared emergencies.

SEC. 7.8-3. Restoration of service will be made only after applicable fees are paid or an agreed upon payment schedule is approved, or the condition necessitating discontinuance is rectified to the satisfaction of the Water Department.

SEC. 7.8-4. Whenever an owner wishes to discontinue service permanently for demolition or removal of a premises being served water, notice shall be given the Water Department at least forty-eight (48) hours in advance for removal of the meter. The owner of said premises shall be held responsible for the meter until its removal by the Water Department and if lost the owner shall be required to pay for or replace the meter. The owner shall be responsible for and incur all costs of plugging or capping the discontinued water service connection in a manner prescribed by the Water Department.

SEC. 7.8-5. An owner or occupant may request temporary discontinuance of service for repair of piping, vacancy of premises or other reason with reconnection subject to the following provisions:

- A. If discontinuance is for more than three (3) days and there is no change in customer status, a reconnection fee of \$40.00 will be assessed if the reconnection is made during regular working hours or \$100.00 after regular working hours. (Amended by Ord. 3957, 2/19/91)(Amended 3/19/07 by Ord. No. 5125)
- B. If discontinuance is for more than three (3) days and the account is for a new customer there is no reconnection fee providing the account is current with respect to previous user fees.
- C. If the discontinuance is for less than three (3) days there is no reconnect charge.
- D. If the serviceman discovers that piping is substandard or inadequate at the time of reconnection, the meter will not be reinstalled and water will not be turned back on until corrections have been made in accordance with the Town Plumbing Code and all other provisions of this Chapter.

(ENTIRE DIVISION 8 AMENDED 9/21/81)

DIVISION 9 - EXTENSION OF WATERMAINS

SEC. 7.9-1 EXTENSION OF MAIN. Anyone requesting extension of existing water mains or a new service shall first submit a set of plans and specifications, prepared by a registered professional engineer, to the Water Department with their request showing the location of the proposed water mains, valves, fire hydrants and fittings. All locations shown on said plans and specifications shall be in reference to property lines. Likewise, a legal description of the property that is to be served by the extension or installation of new mains shall also be filed along with the aforesaid plans and specifications. If proposed installation is to serve an area where the Town has previously or is about to establish a connection or tap-on charge, then the person making the above request must pay the tap-on charge at the time that the permit is granted. Such documents as herein listed shall be filed with the Water Director or his designee, who shall be the one to issue the permit.

SEC. 7.9-2. No connection to any water mains within the Town of Normal shall be allowed where such tap or connection will adversely affect the volume and/or pressure of existing water supply in that area. The adequacy of water main capacity shall be as defined in SEC. 7.4-10 of this Code. Permits will be issued only after the capacity of existing water mains has been determined adequate, or existing mains are improved or replaced, at permittee's cost, to meet or exceed minimum required standards.

SEC. 7.9-3 WATERMAIN IMPROVEMENT COST FORMULA. Where improvements or replacements must be made at permittee's cost in order to satisfy the requirements of SEC. 7.9-2 of this Code, the owner, developer, or contractor, shall be required to pay the private benefit cost for any proposed units according to the following formula:

$$\frac{\text{Number of proposed units} \times \text{Total improvement cost in service area}}{\text{Total number of dwelling units in service area}}$$

Dwelling units shall be determined on the basis of the following:

- | | | |
|----|--|---|
| 1. | Single Family Home | 1 dwelling unit |
| 2. | Duplex | 2 dwelling units |
| 3. | Commercial, Manufacturing,
Business & Institutional | 1 unit per 1500 sq. ft.
of building space |
| 4. | Rooming Houses | 1 unit per each 4 people |
| 5. | Vacant Land | Maximum use potential
of property as zoned |
| 6. | Apartments | 1 per each dwelling unit |

Service area shall be determined based on the impact any such proposed taps or connections shall have on the water system adequacy as defined in SEC. 7.4-10 of this Code.

SEC. 7.9-4. All new watermains installed in the Town of Normal or installed in areas subject to future connection to the Municipal water system shall have a minimum nominal diameter of at least six (6) inches and shall be of Ductile cast iron. Thickness and load bearing classes of pipe shall be as specified in the "American National Standard for the Thickness Design of Ductile-Iron Pipe", ANSI A21.50, AWWA C-150, of latest revision. The installation of watermains and appurtenances shall be in strict accordance with and comply with all of the provisions of the following rules and standards:

- A. ANSI/AWWA C600 "Installation of Gray and Ductile Cast-Iron Water Mains and Appurtenances", of latest revision.
- B. State of Illinois Standard Specifications for Water, of latest revision.
- C. Illinois Pollution Control Board Rules and Regulations Chapter 6, and technical policy statements in conformance with rule 212.
- D. Great Lakes-Upper Mississippi River Board of State Sanitary Engineers Recommended Standards, commonly referred to as the "Ten States Standards".

Where the conditions imposed by any standards or rule are either more or less restrictive than conditions imposed by any other standard or rule, the regulation which is more restrictive or imposes the higher standard shall govern.

SEC. 7.9-5. Watermain taps will be made only by the Normal Water Department. All material, labor, and equipment necessary to make the tap shall be furnished by the Water Department exclusive of excavations. All charges relating to the tap shall be borne by the tap-on permit holder and bills are due when rendered. Prepayment may be required for permittees who are unknown or who have not established credit with the Town.

SEC. 7.9-6. All watermains shall be installed in public easements or dedicated public right-of-way. Such easements and rights-of-way to be of sufficient width and the water mains to be installed at such locations as to permit open cut installation, maintenance and repair within the confines of the easement or right-of-way without relocation or unreasonable interference with other public utilities located therein. Reference Subdivision Code SEC. 16.4-6(B).

SEC. 7.9-7. Watermain must be installed with a minimum cover of four (4) feet and shall not exceed sixteen (16) feet depth, except where railroads or creek bed crossings are necessary.

SEC. 7.9-8. Watermain extensions shall be served from the Municipal system only after all of the criteria in Exhibit "A", NEW MAIN PROCEDURE, incorporated herein by reference and made a part hereof, has been completed to the satisfaction of the Director of Water.

DIVISION 10 - CURTAILMENT OF WATER SERVICE IN EMERGENCIES

SEC. 7.10-1 CURTAILMENT. Whenever the Mayor and/or the Town Council shall declare the necessity for a curtailment period and shall give public notice of same by publication of such action in either The Normalite or The Daily Pantagraph, or any other newspaper of general usage of the water supply of the Town of Normal, it shall be unlawful for any person to violate such published restriction. Each day, or portion thereof, during which such violation takes place shall constitute a separate offense.

The use of water during an emergency may include some or all of the following restrictions, but is not limited to the following:

- A. The sprinkling water or irrigating of shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flowers, or any other vegetation.
- B. The washing of sidewalks, driveways, filling station aprons, porches, and other outdoor surfaces.
- C. The washing of automobiles, trucks, trailers, trailer houses, railroad cars, or any other type of mobile equipment.
- D. The washing of the outside of the dwellings; the washing of the inside and outside of office buildings.
- E. The washing and cleaning of any business or industrial equipment or machinery.
- F. The operation of any ornamental fountain or other structure making a similar use of water.
- G. The filling of swimming and wading pools.
- H. The escape of water through defective plumbing.
- I. Air conditioning systems or devices for the cooling or dehumidification of space for human occupancy where Municipal water is the principal medium.
- J. Any wasteful use of water.

Publication shall be deemed adequate notice.

The City Manager, acting individually, or, in his absence, the Acting City Manager and the Water Director, acting collectively, may declare an emergency curtailment period at any time, for a period of not to exceed seventy-two (72) hours, and shall then publish notice of said as above provided, and such publication shall be deemed adequate notice to all users of the water supply of the Town of Normal, effective immediately. If an emergency condition exists for a period of time greater than seventy-two (72) hours, the Town Council shall make the determination on whether or not to continue the water curtailment.

Any person, firm or corporation violating or failing to comply with any of the terms and requirements of this article shall be subject to the penalty provisions of SEC. 7.14-1 of this Code.

(ENTIRE DIVISION 10 AMENDED 9/21/81)

DIVISION 11 – SYSTEM DEVELOPMENT CHARGE

SEC. 7.11-1 REQUIREMENTS. On and after October 1, 2009, any person, firm, corporation, agency or other entity whatsoever who shall be allowed to tap into the Town of Normal Water Distribution System shall pay, separate and apart from any other charges, a system development charge at the rate of \$1,440.00 per service line connection per one inch diameter of pipe connected.

Any fractional part of an inch shall be considered to be one whole inch when computing the tap-on fee. In explanation, if water service is requested for a service pipe more than one (1) inch in diameter, fees would be assessed by rounding off to the next highest whole number. System development charges shall be paid at the earlier of final platting or actual connection to the Water Distribution System.

Charges for watermain taps or service taps that are made by the Normal Water Department are due and payable upon completion of the tap and when bills are rendered. The user or customer will be assessed at prevailing material and labor costs. A schedule of charges is listed at the Water Department displaying estimated charges for particular size taps. This schedule is intended as a guide only and does not reflect any additional costs that might arise from unpredicted cost factors resulting from the performance of the tap.

Taps made by other than the Normal Water Department must have prior written approval by the Director of Water before any work may proceed. All materials and workmanship related to the performance of watermain tapping must conform to the State of Illinois Standard Specifications for Water, current edition.

SEC. 7.11-2 APPLICATION. Any residence or business which presently is served by the Town of Normal's water system will not be charged the system development charge as stated above, unless a new service line is installed larger than the service line serving said residence or business as of August 1, 2009.

SEC. 7.11-3 ADDITIONAL REQUIREMENTS. It is a condition precedent to the allowance of any tap that said tap-on charges herein established be paid to the Town of Normal and it is a further requirement that anyone making such tap-on shall abide by all other ordinances and regulations of the Town.

SEC. 7.11-4 EXISTING ANNEXATION AGREEMENTS. Property under a valid annexation agreement as of August 1, 2009, shall pay the water tap-on fee set forth in said agreement in lieu of the system development charge. If the annexation agreement is silent, or references the current municipal code regarding tap-on charges, then the system development charge shall be assessed and paid as set forth in SEC. 7.11-1 above.

SEC. 7.11-5 FRANKLIN HEIGHTS WATER MAIN EXTENSION. In addition to the system development charge provided in SEC. 7.11-1 above, anyone connecting to the Franklin Heights water main extension shall pay a tap-on fee for this water main extension based on the front foot of property immediately contiguous with Fort Jesse Road right-of-way served by connection to the Franklin Heights water main. The fee shall be \$41.47 per lineal foot of property contiguous to Fort Jesse Road right-of-way plus six percent (6%) interest compounded annually from January 1, 2007. The Town Water Director shall maintain a map of property served by the Franklin Heights water main extension which map is attached by reference as though specifically set forth herein.

(Entire Division 11 Amended 8/17/09 by Ord. No. 5284 – Effective October 1, 2009)

DIVISION 12 - FIRE HYDRANTS & SERVICES

SEC. 7.12-1. No person, firm or corporation may take water from any fire hydrant except authorized persons or parties for fire purposes and no hydrant may be used for any purpose except the extinguishment or prevention of fires unless prior approval is obtained from the Water Department.

SEC. 7.12-2. Fire hydrants shall not be screened or otherwise obstructed by trees, shrubs, bushes, fences, or any other structure that impedes access to the hydrant from Town water and/or Fire Department personnel. Painting, changing the grade or any other alteration to the hydrant or its surroundings that diminishes the visibility of the hydrant shall not be permitted.

SEC. 7.12-3. No utility pole, traffic signal, sign post, lighting standard, or other such permanent structure may be located within ten (10) feet of any existing hydrant, and no new fire hydrant may be located within ten (10) feet of any of the existing aforementioned structures.

SEC. 7.12-4. Installation of new hydrants or replacements of existing hydrants within the jurisdiction of the Municipal water utility shall be in accordance with the following specifications:

- A. All hydrants must contain one (1) four (4) inch pumper nozzle and two (2) two and one-half (2 1/2) hose nozzles.
- B. The bury depth for hydrants must be a minimum of four and one-half (4 1/2) feet and must have a branch valve of at least six (6) inches at the main connection.
- C. Hydrants shall be of the dry barrel type with a main valve opening of the compression type that closes with the pressure. Main valve minimum opening shall be five and one-quarter (5 1/4) inches.
- D. All hydrants located within four (4) feet of a major street must be traffic model or breakaway type.

SEC. 7.12-5 FIRE SERVICES. Fire service connections are to be used only for the extinguishment of fires and are to have no connection whatever with any other service connection or service pipe. The Town reserves the right to require or provide at owner's expense a meter or detector check to ensure that water is not being used for other than fire protection.

SEC. 7.12-6. Fire service lines must meet all requirements of watermain specification and installation as otherwise mentioned in this Code. A complete set of blueprints prepared by a registered professional engineer or architect shall be on file with the Water Department showing the location of all piping, valves, sprinklers, and other related equipment that is a part of or is connected to the fire service line. As-built drawings must be furnished to the Water Department within ninety (90) days after installation is completed. (Subsections 1-6 Amended 9/21/81)

SEC. 7.12-7 FIRE HYDRANT RENTAL

- A. Fee Imposed. All persons owning property within the Town of Normal, served by a secondary water supply system shall pay to the Town, a monthly fire hydrant rental fee for the use and availability for use of public fire hydrants for fire protection only in the serviceable vicinity of such property.
- B. Calculation of Fee. The monthly fire hydrant rental fee shall be determined by the Town Water Director, based on the total public fire hydrant maintenance cost incurred by the Town for the preceding calendar year. Maintenance costs shall include the value of water used for flushing. A monthly unit maintenance cost shall be calculated from annual maintenance costs for all public hydrants. This monthly unit cost rounded to the nearest whole dollar, shall be multiplied by the number of public hydrant units within the serviceable vicinity of the property served by a secondary water supply system and the result shall be the monthly fire hydrant rental fee.
- C. Serviceable Vicinity. That area is determined by the Fire Chief in which it is reasonable to anticipate that the fire hydrants located therein would be used for firefighting purposes on the properties served by the secondary water supply system.
- D. Billing Procedure. The monthly fire hydrant rental fee shall be billed and collected by the Town Treasurer or his designee. All bills for fire hydrant rental shall be rendered every two months to cover the preceding two month period for which fire hydrants were used or available for use as specified herein. All bills shall be due not later than the close of business on the 15th day following the date of the bill as rendered. A penalty of ten (10%) percent shall be added to all bills not paid within 15 days of the date of billing. When the fifteenth (15th) day of any month shall be Sunday or a legal holiday, then such bills for service shall be payable on the next succeeding calendar day without additional penalty. Additionally, bills not paid when due shall accrue interest on the unpaid balance of principle, interest and penalty as provided in Division 18, Chapter 25 of this Code.
- E. Lien. The Town may cause a lien to be placed against property when the owner refuses or neglects to pay any fire hydrant rental fee within 60 days of due date. The Town shall file a Notice of Lien in the Office of the Recorder of Deeds of McLean County. Such lien shall secure payment of all fire hydrant rental fees due at the time of the filing of notice together with any penalty or interest added to such fee any interest accruing after the filing of the Notice of said lien and also a ten dollar (\$10.00) fee to cover the cost of recording said Notice of Lien. The Notice of Lien shall consist of sworn statement setting out:
1. A description of real estate, sufficient for identification.
 2. The amount of money due the Town for fire hydrant rental, together with any accrued penalty, interest and lien recording fee.

3. The amount of accruing interest, if any, from the date the lien is filed, until paid.
4. The dates for which the fire hydrant rental fee was imposed.

Upon payment of the fire hydrant rental fee, all accrued penalty and interest, and lien recording fee, the lien shall be released by the Town and a Notice of Lien released shall be filed of record, with the Recorder of Deeds, McLean County.

- F. Lien Enforcement. Any lien filed pursuant to the Section, may be enforced by proceeding to foreclosure as provided by law.

(SECTION 7.12-7 ADDED 12/19/83)

SEC. 7.12-8 FIRE PROTECTION CHARGES. Beginning October 1, 2009, any person or entity connecting to the Town Water Distribution System for private fire protection purposes shall pay a fee to the Town based on the diameter of pipe connected as provided below:

- A. Effective October 1, 2009, the monthly rate for private fire protection in the form of a fire booster pump, sprinkler system, private fire hydrants, or other fire suppression equipment connected to the Town's water system shall be charged the rate of \$7.50 per inch diameter of pipe, or fraction thereof rounded to the next highest inch, of fire service connection. Fire suppression systems that utilize a combined domestic and fire service line shall be calculated using the size of the combined line connection at the water main for determining the proper charge.
- B. Effective April 1, 2010, the monthly rate for private fire protection in the form of a fire booster pump, sprinkler system, private fire hydrants, or other fire suppression equipment connected to the Town's water system shall be charged the rate of \$7.73 per inch diameter of pipe, or fraction thereof rounded to the next highest inch, of fire service connection. Fire suppression systems that utilize a combined domestic and fire service line shall be calculated using the size of the combined line connection at the water main for determining the proper charge.
- C. Effective April 1, 2011, the monthly rate for private fire protection in the form of a fire booster pump, sprinkler system, private fire hydrants, or other fire suppression equipment connected to the Town's water system shall be charged the rate of \$8.19 per inch diameter of pipe, or fraction thereof rounded to the next highest inch, of fire service connection. Fire suppression systems that utilize a combined domestic and fire service line shall be calculated using the size of the combined line connection at the water main for determining the proper charge.
- D. Effective April 1, 2012, the monthly rate for private fire protection in the form of a fire booster pump, sprinkler system, private fire hydrants, or other fire suppression equipment connected to the Town's water system shall be charged the rate of \$8.68 per inch diameter of pipe, or fraction thereof rounded to the next highest inch, of fire service connection. Fire suppression systems that utilize a combined domestic and fire service line shall be calculated using the size of the combined line connection at the water main for determining the proper charge.

- E. Effective April 1, 2013, the monthly rate for private fire protection in the form of a fire booster pump, sprinkler system, private fire hydrants, or other fire suppression equipment connected to the Town's water system shall be charged the rate of \$9.20 per inch diameter of pipe, or fraction thereof rounded to the next highest inch, of fire service connection. Fire suppression systems that utilize a combined domestic and fire service line shall be calculated using the size of the combined line connection at the water main for determining the proper charge.

(Entire Section 7.12-8 Added 7/20/09 by Ord. No 5280)

DIVISION 13 - RULES AND REGULATIONS

SEC. 7.13-1. The Water Director is hereby authorized to make such rules and regulations consistent with this Ordinance for the connection to the water system, specifying the types and sizes of pipes and all the other appurtenances and extensions thereto and amend the same from time to time as may be deemed necessary. All service pipes and connections to the water system shall comply with the said specifications and rules. Any persons, firm, or corporation not complying with the specifications and rules for connections to the water system shall be subject to the penalty provisions in SEC. 7.14-1 of this Code.

No rules and regulation promulgated by the Water Director under this Chapter shall be valid and enforceable until reduced to written form and a copy filed with the Town Clerk to be placed by said Clerk in a book kept for that purpose and said book shall be open for public inspection.

SEC. 7.13-2 BOOKS AND RECORDS. The Director of Finance shall establish a proper system of accounts and shall keep proper books, records, and accounts in which complete and correct entries shall be made in all transactions relative to the water system, and at regular annual intervals the Director of Finance shall cause to be made an audit by a certified public accountant of the books to show the receipts and disbursements of the water system.

SEC. 7.13-3. Resale of water in or outside of the Town Corporate Limits shall not be permitted unless permission is granted by and a contract is entered into with the Town Corporate Authorities.

(ENTIRE DIVISION 13 AMENDED 9/21/81)

DIVISION 14 - ENFORCEMENT

SEC. 7.14-1. Any person, firm, partnership, land trust, association, agent or legal representative violating any provisions of this Chapter shall be subject to discontinuance of service and/or a penalty of not less than \$25.00 and not more than \$500.00 and each day the violation continues shall subject such person to an additional penalty of not less than \$25.00 and not more than \$500.00. Each day that any such violation or failure continues shall be considered as a separate and distinct offense and shall be punishable as such. (Amended 6/3/02 by Ord. No. 4797).

SEC. 7.14-2. In the event charges for water, sanitary or storm services are not paid within thirty (30) days and are declared delinquent, such delinquent charges shall constitute a lien upon the real estate, upon or for which such services are supplied or available. The Town, at its option, may file a lien upon the real property where the services are supplied or available. When the Town exercises its right to file a lien upon the real property, the Town must file a Notice of Lien in the Office of the Recorder of Deeds of McLean County. Such Notice shall consist of a sworn statement setting out:

1. A description of the real estate sufficient for identification;
2. The delinquent charges for services supplied or available to said property; and
3. The date or dates for which said services were supplied or available.

This lien shall be superior to all other liens, except taxes, provided, however, it shall not be valid as to any purchaser whose right in and to such real estate has arisen subsequent to the date on which such costs were incurred and prior to the filing of such Notice and a lien of the Town shall not be valid as to any mortgages, judgment creditor or other lien whose rights in and to such real estate arise prior to the filing of such Notice. Upon payment of the delinquent charges and any accruing interest and penalty, together with the costs of filing and releasing said lien, the lien shall be released by the Town and the Release may be filed of record as in the case of filing the Notice of Lien. The lien may be enforced by proceeding to foreclosure as provided by law.

SEC. 7.14-3. Discontinuance of Service. In the event the owner or occupant of property supplied water, sanitary or storm sewer services fails to pay the charges for said services within the time provided by this chapter and such services are declared delinquent, the Water Director is authorized to terminate water service to the property for which said charges are delinquent. Such termination of service shall be subject to the procedure set forth in Section 7.7-4 of this chapter Delinquency Notification Pre-termination Hearing and Termination of Services.

Entire Division 14 of Chapter 7 Amended and Renamed 8/7/06 by Ord. No. 5094

DIVISION 15 - CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION

SEC. 7.15-1. If in accordance with the Illinois Plumbing Code or in the judgment of the Director of Water, an approved backflow prevention device is necessary for the safety of the public water supply system, the Director of Water will give notice to the water customer to install such an approved device immediately. The Water customer shall, at his own expense, install such an approved device at a location and in a manner in accordance with the Illinois Plumbing Code and all applicable local regulations, and shall have inspections and tests made of such approved devices as required by the Illinois Plumbing Code and local regulations.

SEC. 7.15-2. No person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of the Town enter the supply or distribution system of said municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Director of Water and the Illinois Environmental Protection Agency.

SEC. 7.15-3. It shall be the duty of the Director of Water to cause surveys and investigations to be made of the customer properties served by the public water supply to determine whether actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated at least every two (2) years, or as often as the Director of Water shall deem necessary. Records of such surveys shall be maintained and available for review for a period of at least five (5) years. (Amended 12/16/02 by Ord. No. 4846)

SEC. 7.15-4. The Director, Plumbing Inspectors, or authorized Cross Connection Control Device Inspector, shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the Town for the purpose of verifying the presence or absence of cross-connections, and that the Water Director, Plumbing Inspectors, or authorized Cross Connection Control Device Inspector, shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the Town for the purpose of verifying information submitted by the customer regarding the required cross-connection control inspection. On demand the owner, lessees or occupants of any property so served shall furnish to the Director of Water any information which he may request regarding the piping system or systems or water use of such property. The refusal of such information, when demanded, shall, within the discretion of the Director of Water, be deemed evidence of the presence of improper connections as provided in this Division. (Amended 12/16/02 by Ord. No. 4846)

SEC. 7.15-5. The Director of Water of the Town of Normal is authorized and may discontinue, after reasonable notice to the occupant thereof, the water service to any property which fails to provide any survey, inspection report, or fee required by Town ordinance in regard to cross connections or backflow prevention. The Director of Water of the Town is hereby authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any

property wherein any connection in violation of the provisions of this division is known to exist, and to take such other precautionary measures as he may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions have been eliminated or corrected in compliance with the provisions of this division, and until a reconnection fee as provided in this Chapter is paid to the Town Treasurer. Immediate disconnection with verbal notice can be effected when the Director of Water is assured that imminent danger of harmful contamination of the public water supply system exists. Such action shall be followed by written notification of the cause of disconnection. (Amended 3/7/2011 by Ord. No. 5372)

SEC. 7.15-6. The consumer responsible for backsiphoned material or contamination through backflow, if contamination of the potable water supply system occurs through an illegal cross-connection or an improperly installed, maintained or repaired device, or a device which has been bypassed, must bear the cost of clean-up of the potable water supply system.

SEC. 7.15-7. Any person found guilty of violating any portion of this Division shall be fined as provided in Division 14 of this Chapter. (Amended 9/21/81)(Amended 3/7/88)

DIVISION 16 - MINIMUM AND MAXIMUM ZONE PROVISIONS

SEC. 7.16-1 DEFINITIONS. - Except as stated in this Division and unless a different meaning of a word or term is clear from the context, the definition of words or terms in this Division shall be the same as those used in the Environmental Protection Act (415 ILCS 5/1 et seq.) and the Illinois Groundwater Protection Act (415 ILCS 5/1 et seq.):

- A. Act means the Environmental Protection Act (415 ILCS 5/1 et seq. 1992 State Bar Edition) as it exists on April 5, 1993.
- B. Agency means the Illinois Environmental Protection Agency.
- C. Board means the Illinois Pollution Control Board.
- D. Maximum Setback Zone means the area around a community water supply well established under Section 14.3 of the Act and this Division and described in Exhibits attached hereto (which may be amended from time to time by the Water Director as wells are added) being the area of a circle with a radius of one thousand (1,000) feet around each Town well described in each Exhibit attached hereto.
- E. Minimum Setback Zone means the area around a community water supply well established under Section 14.2 of the Act and this Division and described in Exhibits attached hereto (which may be amended from time to time by the Water Director as wells are added) being the area within a circle with a radius of one four hundred (400) feet around each Town well described in each Exhibit attached hereto.

SEC. 7.16-2 PROHIBITIONS.

- A. Except as provided in SEC. 7.16-3 or SEC. 7.16-4 of this Division, no person shall place a new potential primary source, new potential secondary source, or new potential route within the minimum setback zone.
- B. Except as provided in SEC. 7.16-3 of this Division, no person shall place a new potential primary source within the maximum setback zone.

SEC. 7.16-3 WAIVER, EXCEPTIONS, AND CERTIFICATIONS OF MINIMAL HAZARD.

- A. If pursuant to SEC. 14.2b of the Act, the owner of a new potential primary source, new potential secondary source, or new potential route is granted a waiver by the Agency, such owner shall be deemed to have a waiver to the same extent from SEC. 7.16-2(A) of this Division.
- B. If pursuant to SEC. 14.2c of the Act, the owner of a new potential primary source (other than landfilling or land treating), new potential secondary source, or new potential route is granted an exception by the Board, such owner shall be deemed to have an exception to the same extent from SEC. 7.16-2(A) of this Division.

- C. If pursuant to SEC. 14.2c of the Act, the owner of a new potential primary source (other than landfilling or land treating) is granted an exception by the Board, such owner shall be deemed to have an exception to the same extent from SEC. 7.16-2(B) of this Division.
- D. If pursuant to SEC. 14.5 of the Act, the owner of a new potential primary source, new potential secondary source, or new potential route is issued a certificate of minimal hazard by the Agency, such owner shall not be subject to SEC. 7.16-2(A) of this Division to the same extent that such owner is not subject to SEC. 14.2d of the Act.

SEC. 7.16-4 EXCLUSION. SEC. 7.16-2(A) of this Division shall not apply to new common sources of sanitary pollution as specified pursuant to SEC. 17 of the Act and the regulations adopted thereunder by the Agency. However, no such common sources may be located within the applicable minimum distance from a community water supply well specified by such regulations.

SEC. 7.16-5 FILING OF WAIVERS, EXCEPTIONS, AND CERTIFICATIONS OF MINIMAL HAZARD. If any person obtains a waiver, exception, or certification of minimal hazard pursuant to the Act from the Agency, then such person shall file a copy of such waiver, exception, or certification of minimal hazard with the Normal Town Clerk. Such filing shall be made prior to the commencement of any drilling, digging, or excavating pursuant to such waiver, exception, or certification of minimal hazard.

(Entire Division 16 Added April 5, 1993 by Ord. No. 4128)(Entire Division 16 Amended June 19, 2006, by Ord. No. 5081)

DIVISION 17 - WATER OUTSIDE THE CORPORATE LIMITS

SEC. 7.17-1 FURNISHING WATER OUTSIDE THE TOWN. It shall be the policy of the Town of Normal to furnish water outside the corporate limits through its distribution system extended provided the additional water use does not exceed the capacity of the existing water system and the City Council determines such service is in the best interests of the Citizens of Normal.

SEC. 7.17-2 REQUIREMENTS FOR SERVICE OUTSIDE CORPORATE LIMITS.
Water service outside corporate limits must meet the following requirements:

- A. The cost of extensions of water mains and tap on fees must be assumed by the customers or divided between the customers and the Town on the basis of engineering recommendations and a mutual agreement to be approved by the City Council.
- B. Water rates shall be 2.5 times the rates established from time to time for the sale of water by the Town within the corporate limits. (Division 7 of Chapter 7 of this Code).
- C. Annexation to the corporate limits is reasonably imminent as determine in the sole discretion of the City Council.
- D. Every property owner whose property is served and connected to the Town's water system shall first enter into a pre-annexation agreement in a form approved by the Town setting forth the terms of cost and other appropriate requirements and shall among other provisions include the following:

As a covenant running with the land, Customer agrees that in the event any portion of the above-described property hereafter becomes contiguous with the corporate boundaries of the Town of Normal in any of the manners prescribed by law, the Town of Normal may, in its sole discretion, but only after more than thirty (30) days have elapsed from the date of the City Manager requesting that said above-described property be annexed, discontinue furnishing of any and all water services to any property, building improvement or appurtenance upon said above-described property or any part thereof, and in its discretion may continue to refuse the furnishing of such water services until said property has become annexed to the Town of Normal in the manner prescribed by law.

- E. The property owner or customer must also agree that he will not permit or allow any other person, firm or corporation to connect or annex to said water system or use water therefrom or in any other way benefit from the service provided to the customer under the terms of the said agreement without written permission from the City Manager.

- F. Water customers outside the Town shall further agree that all extensions of the water system remain the property of and subject to the control of the Town and that the water customer and his property shall be subject to and shall be obligated to the enforcement of liens for nonpayment of water and said customers shall abide by all ordinances, rules, and regulations of the Town with regard to the construction, use and maintenance of water mains and for the payment of services for water services; and upon the penalty of violation that a notice of disconnection may be given by the Town as provided in this Chapter for non-payment for services. In the event of disconnection for violation or breach of any covenant or condition of the water agreement, it is strictly provided that no rebate, reimbursement or claim shall be due and owing to the water customer.

SEC. 7-17.3 RESALE OF CITY WATER FOR PROFIT PROHIBITED.

- A. No private person, partnership or corporation shall resell water purchased from the Town of Normal at a price greater than the amount charged to such person, partnership or corporation by the Town for the purchase of such water.
- B. This Section shall not prohibit landlords from charging a fixed monthly or annual amount to reimburse such landlords for the cost of supplying water as a term of a lease when the actual amount of water used by an individual tenant cannot be ascertained, but such fixed amount, and the method of computing such amount, shall be disclosed to the individual tenant and to Town inspectors upon request. The fixed amount must be a reasonable estimate of the per capita cost to such landlord of supplying water based on previous usage rates and current water rates.
- C. Violators of this Section shall be fined a minimum of \$100.00 and a maximum of \$500.00 for each violation of this Section. Overcharging shall be a separate offense for each month the violation continues. In the case of tenants of rented dwelling units or mobile home lots which are overcharged in violation of this Section a separate offense shall have been committed for each individual dwelling, unit or mobile home lot tenant so overcharged for each month of overcharging.
- D. This Section shall not apply to any unit of local government or to any entity regulated as a water utility by the Illinois Commerce Commission.

(Entire Division 17 Added 9/5/2000 by Ord. No. 4667)

DIVISION 18 – POTABLE WATER SUPPLY WELLS

SEC. 7.18-1 DEFINITIONS. Unless the context specifically indicates otherwise, the meaning of terms used in this Division shall be as follows:

Person is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity or such entities' legal representative, agent, or assign.

Potable Water is any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, preparing foods, or watering gardens in which product intended for human consumption is grown.

Prohibited Property means all properties listed in Schedule A Identifying Property from which the use of ground water as a potable water supply is prohibited. Said Schedule A shall be kept in the Office of the Water Department Director, Town Engineer, and Town Clerk.

SEC. 7.18-2 PROHIBITATION ON THE USE OF POTABLE WATER SUPPLY WELLS.

- A. Use of Ground Water as a Potable Water Supply is Prohibited. The use or attempt to use as a potable water supply, ground water from Prohibited Property by the installation or drilling of wells on or at the Prohibited Property, or by any other method on or at the Prohibited Property, is hereby prohibited.
- B. Any person violating the provisions of this Section shall be subject to a fine of up to \$500.00 for each violation. Each day a violation continues shall be considered a separate and distinct offense subject to a penalty of up to \$500.00 for each day the violation exists.
- C. Injunctive Relief. The Director of the Water Department is hereby authorized to seek injunctive relief in the form of a restraining order or temporary or permanent injunction prohibiting any violation of this Section. The Director of the Water Department may institute injunctive relief without first seeking the imposition of a monetary penalty pursuant to this Section.
- D. Restrictions Binding on the Town of Normal. Except for the provisions set forth in the penalty Section and the Section for injunctive relief, the restrictions contained in this Ordinance shall be binding on the Town of Normal, Illinois.

SEC. 7.18-3 SCHEDULE "A" PROHIBITED PROPERTY.

The following exhibits the Prohibited Property identified in this division from which the installation or use of potable water supply wells is prohibited.

(Entire Division 18 Added 5/7/07 by Ord. No. 5131)

Insert file – in Drawings File

DIVISION 20 - GENERAL PROVISIONS - SEWER

SEC. 7.20-1 DEFINITIONS. Unless the context specifically indicates otherwise, the meaning of terms used in this Division shall be as follows:

Sewage Works shall mean all facilities for collecting, pumping, treating and disposing of sewage.

Superintendent or Director shall mean the Director of the Department of Public Works of the Town of Normal or his authorized deputy, agent or representative.

Sewage shall mean the water carried wastes from residences, businesses, institutions and industrial establishments, plus minor and incidental amounts of ground, surface or storm water.

Public, Sanitary or Storm Sewer shall mean a sanitary sewer or storm sewer or storm drain located in the public right-of-way or public easement in which all owners of abutting properties have equal rights and which is controlled by a public authority.

Combined Sewer shall mean a pipe or conduit receiving both surface water and sewage.

Sanitary Sewer shall mean a pipe or conduit designed and intended to carry sewage and to exclude storm, surface and ground water.

Storm Sewer or Storm Drain shall mean a pipe or conduit which is designed and intended to carry storm, surface and ground water and to exclude sewage and industrial wastes.

Sewage Treatment Plant shall mean any arrangement of devices and structures used for treating sewage.

Industrial Wastes shall mean solids, liquids or gaseous wastes resulting from any industrial or manufacturing operation or process.

Garbage shall mean solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

Properly Shredded Garbage shall mean that 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.

Building Drain means the lowest horizontal portion of a building or structure's sewage collection and disposal system which is designed to carry sewage through or beyond the foundation wall to the building sewer. A building drain may include a sewage sump pump, ejector, lift pump or other similar device which pumps sewage.

Building Sewer shall mean a pipe or conduit located on private property owned and controlled by the private property owner, which is designed and intended to carry sewage from the building drain to the public sanitary sewer or a private sewage disposal system. (Added 4/5/76)

Building Sewer Connection shall mean a pipe or conduit and appurtenances connected to the public sanitary sewer and extending from said sewer to the customers property line for the purpose of carrying sewage from the building sewer to the public sanitary sewer. (Added 3/7/88)

Natural Outlet shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

Watercourse shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Person shall mean any individual, firm, company, association, society, corporation or group.

Shall is mandatory; May is permissive.

SEC. 7.20-2 USE OF PUBLIC SEWERS REQUIRED. It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the Town of Normal, or in an area under the jurisdiction of said Town, any human or animal excrement, garbage or other objectional waste.

It shall be unlawful to discharge to any natural outlet within the Town of Normal, or in any area under the jurisdiction of said Town, any sanitary sewage, industrial wastes or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Division.

Except as hereinafter 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.

The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the town and abutting on any street, alley or right-of-way in which there is now located or may in the future be located on a public sanitary or combined sewer of the Town is hereby required at his expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this division, within ninety (90) days after the date of official notice to do so, provided that said public sewer is within one hundred (100) feet of the property line.

It shall be unlawful for any person, firm or corporation to connect or cause to be connected, any drain carrying or to carry any toilet, sink, basement, septic tank, cesspool or industrial waste, or any other fixture or device discharging any form of polluting substances, to any storm or water drain or combination storm water drain in the Town of Normal.

SEC. 7.20-3 PROHIBITION OF PRIVATE SEWER SERVICE LINES. No person shall construct or install or use or permit the use of any private sewer service line for any lot building or structure provided:

- A. This section shall not apply where approval is given for private sewer service lines where a final planned unit development plan has been authorized, and
- B. This section shall apply to persons using or permitting the use of such lines on the date of this amendatory ordinance as follows:
 - 1. Said person may continue to use and may repair these private sanitary sewer lines.
 - 2. Replacement of these private sanitary sewer lines shall only be allowed in the event that no public sanitary sewer is located within one hundred (100) feet of the property line at the time the private sanitary sewer needs replacing. If a public sanitary sewer is within one hundred (100) feet of the property line, then use of the private line shall be discontinued and connection shall be made to the public sanitary sewer in accordance with all applicable ordinances.
- C. That for the purpose of this section "private sewer service" is defined as a non-publicly accepted direct or indirect connection to a public sewer by means other than another public sewer, a building drain or building sewer, which traverses property belonging to another person or entity.
- D. That for the purpose of this section "repair" shall mean the reconstruction of less than fifty percent (50%) or more of the private sewer service.
- E. That for the purposes of this section, "replacement" shall mean the reconstruction of fifty percent (50%) or more of the private sewer service. (Entire SEC. 7.20-3 Added by Ordinance No. 1972, 8/18/80)

SEC. 7.20-4 PRIVATE SEWAGE DISPOSAL. Where a public sanitary or combined sewer is not available under the provisions of SEC. 7.20-2, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this section.

Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Director. The application for such permit shall be made on a form furnished by the Town, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Director. A permit and inspection fee of Ten (\$10.00) Dollars shall be paid to the Town Treasurer at the time the application is filed. (Amended 5/5/80)(Amended 9/19/83)

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Director. 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 Director when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the Director. (Amended 5/5/80)

The type, capacities, location and lay-out of private sewage disposal systems shall comply with all recommendations of the Department of Public Health of the State of Illinois. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet. No permit shall be issued for any private sewage disposal system employing sub-surface soil absorption facilities where the area of the lot is less than twenty thousand (20,000) square feet, provided however that the Town Council may authorize the Director of the Department of Public Works to issue such a permit on a lot of record containing less than twenty thousand (20,000) square feet if each of the following requirements are met:

- A. The lot contains at least ten thousand (10,000) square feet.
- B. The septic system, when installed, will serve a single family dwelling.
- C. That percolation tests conducted on the lot demonstrate to the satisfaction of the Town Engineer that given the existing soil conditions, the proposed lot is of adequate size to efficiently handle the anticipated sanitary discharge.
- D. The McLean County Health Department approves in writing the use of a septic tank at the location proposed.

At such time as a public sewer becomes available to a property served by a public sewage disposal system, as provided in SEC. 7.20-3, a direct connection shall be made to the public sewer in compliance with this Division, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

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

No statement contained in this Section shall be construed to interfere with any additional requirements that may be imposed by the Health Officer. (Amended 5/6/74)

SEC. 7.20-5 SEWER PERMIT. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Director. (Amended 5/5/80)

SEC. 7.20-6 CLASSES OF PERMITS. There shall be two (2) classes of building sewer permits: one for residential and commercial service and one for service to establishments for producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Town. The required permit fee shall be paid to the Building Inspector, who in turn shall deliver same to the Town Treasurer, and shall, likewise, immediately deliver a copy of the permit to the Director who shall act in accordance with this Division. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Director. A permit and inspection fee of Five (\$5.00) Dollars for a residential or commercial building sewer permit and Fifteen (\$15.00) Dollars for an industrial building sewer permit shall be paid to the Town Treasurer at the time the application is filed. (Amended 9/19/83)

SEC. 7.20-7 COSTS OF INSTALLATION. All costs and expenses incident to the installation and connection of the building sewer and building sewer connection shall be borne by the owner. The owner shall indemnify the Town for any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer or building sewer connection. (Amended 3/7/88)

A separate and independent building sewer shall be provided for every building unless approved in writing by the Director; except when one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

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

SEC. 7.20-8 COST OF INSPECTION AND TESTING AND MAINTENANCE. Any person requesting a Town inspection or test of any building drain, building sewer, building sewer connection, private sewer service line, private storm sewer, private storm drain or part of the private sewage disposal or storm water disposal system of a lot, building or structure shall be liable to conducting such inspection and test based on a current sewer system inspection test fee schedule, prepared by the Director of Public Works for the Town of Normal and available for inspection in his office and in the office of the Town Clerk. All costs and expenses of repair and maintenance of the building sewer and building sewer connection shall be borne by the owner of the building sewer. (Amended 3/7/88)

SEC. 7.20-9 SPECIFICATIONS. The building sewer and building sewer connection shall be cast-iron or ductile iron soil pipe, ASTM Specification A 74-42 (or latest revision) or equal; or polyvinyl chloride (PVC) pipe, ASTM specification D 3034 for sized 4"-15" or F-679 for sizes 18"-27". Minimum specification shall be schedule 40 or SDR 21. Any part of the building sewer or building sewer connection that is located within ten (10) horizontal feet or eighteen (18) vertical inches of a water service pipe, shall be constructed of cast-iron soil pipe. Cast-iron pipe may be required by the Director of Public Works where the building sewer or building sewer connection is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer or building sewer connection shall be cast-iron soil pipe, except that a non-metallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the Director of Public Works. (Amended 3/7/88)(Amended 2/7/05 by Ord. No. 4994)

All joints for cast-iron pipe shall be tight and waterproof and meet ASTM Specification C-564 (or latest revision) or equal. All joints for PCV Pipe shall be solvent welded ASTM specification D 2855 or Flexible Elastomeric Seal type ASTM specification DC 3212. (Amended 3/7/88)(Amended 2/7/05 by Ord. No. 4994)

If more than one type of sewer pipe is used, they shall be connected by tight and waterproof adapters, especially designed for such jointing, and be approved by the Director of Public Works.

SEC. 7.20-10 SIZE AND SLOPE. The size and slope of the building sewer and building sewer connection shall be subject to the approval of the Director but in no event shall the diameter be less than four (4) inches for single family residential property or less than six (6) inches for all other property. The slope of such pipe shall not be less than one-eighth (1/8) inch per foot. (Amended 3/7/88)(Amended 2/7/05 by Ord. No. 4994)

SEC. 7.20-11 ELEVATION. Whenever possible the building sewer and building sewer connection shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer and building sewer connection shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings. (Amended 3/7/88)

In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewer carried by such drain shall be lifted by approved artificial means and discharged to the building sewer. Water pressure ejectors and siphons shall not be installed for the discharge of any sewage or wastes unless adequately protected against back-siphonage. Notwithstanding the foregoing, all residential construction for which a building permit is issued after January 1, 2011, and the construction provides plumbing fixtures or drains which are below grade, said buildings must have approved overhead discharge and no gravity discharge to the sewer system for those fixtures and drains which are below grade. Exception: Residential construction in a development subject to an approved preliminary plan which was approved before January 1, 2011, shall be exempt from the overhead discharge provision until January 1, 2014. Beginning January 1, 2014, all residential construction for which a building permit is issued and the construction provides for plumbing fixtures or drains below grade level shall have approved overhead discharge and no gravity discharge for those fixtures and drains which are below grade. (Amended 12/6/2010 by Ord. No. 5365)

SEC. 7.20-12 EXCAVATIONS. All excavations required for the installation of a building sewer and building sewer connection shall be open trench work unless otherwise approved by the Director. Pipe laying and backfill shall be performed in accordance with ASTM Specifications C12-19 and the applicable sections of the Standard Specifications for Water and Sewer Main Construction in Illinois. No backfill shall be placed until the work has been inspected. (Amended 3/7/88)

All excavations for building sewer installation and building sewer connections 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 Town. (Amended 3/7/88)

SEC. 7.20-13. RESERVED

SEC. 7.20-14 CONNECTIONS. The building sewer connection into the public sewer shall be made at the "Y" or "T" branch, if such branch is available at a suitable location. If the public sewer is twelve (12) inches in diameter or less and no properly located "Y" or "T" branch is available, the owner shall at his expense install a "Y" or "T" branch in the public sewer at the location specified by the Superintendent. Where the public sewer is greater than twelve (12) inches in diameter and no properly located branch is available, a tapping saddle shall be used. The type of tapping saddle shall be subject to the discretion of the Director of Public Works. (Amended 5/5/80)(Amended 3/7/88)

The applicant for the building sewer permit shall notify the Director when the building sewer connection is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Director or his representative. (Amended 5/5/80)(Amended 3/7/88)

SEC. 7.20-15 EXCAVATION DRAINS AND CONNECTIONS.

- A. During the time of excavation and as long as an excavated area remains open so as to act as a catch basin, then in such instance, any sewer tile or drainage outlet designed to service the excavated area shall at all times be either kept or furnished with a sufficient stand pipe, so as to eliminate the possibility of any rain or surface water collecting or draining into the excavated area and hence into the outlets and accordingly into the sewer system of the Town of Normal and/or the Bloomington-Normal Sanitary District. (Amended 5/5/86)
- B. When demolishing or removing buildings or building debris, all sewer services and mains must be properly cut off and capped as approved by the Director of the Public Works Department. (Amended 5/5/86)

SEC. 7.20-16 MAINTENANCE, CONTINUATION OR RETENTION OF BROKEN, DEFECTIVE, OR PRESENTLY UNLAWFUL BUILDING DRAINS, BUILDING SEWERS OR STORM DRAIN CONNECTIONS OR CONDITIONS.

- A. It shall be unlawful for any person owning property located within the Town of Normal to permit any of the following conditions to be or remain on such property ninety (90) days after notification by the Director of the Department of Public Works, or actual knowledge, of the existence of such a condition unless a variation has been granted by the Director of Public Works. (Amended 8/20/79)
 - 1. A storm sewer or storm drain which is so constructed or is in such a condition as to allow or permit the discharge of storm water, surface water or ground water into a building drain, building sewer or public sanitary sewer, either directly through a direct connection or indirectly by discharging or permitting the discharge of such water in or near areas of gravel, crushed rock or other porous soil or material located near or around openings, holes, cracks, loose joints or other gaps in a building drain, building sewer or public sanitary sewer;

2. A private combined sewer;
 3. A storm water, surface water or ground water collection or diversion device, including without limitation the following: area drains, yard drains, footing tiles, downspouts, leaders, storm water, surface water or ground water sump pumps or other pumping device, which is constructed or in such a condition so as to discharge or permit or allow the discharge of storm water, surface water or ground water into a building drain, building sewer or public sanitary sewer either directly through a direct connection or indirectly by discharging or permitting the discharge of such water in or near areas of gravel, crushed rock or other porous soil or material located near or around openings, holes, cracks, loose joints or other gaps in a building drain, building sewer or public sanitary sewer;
 4. A building drain or building sewer with broken, missing or cracked tiles, loose or separated joints or other holes, cracks, gaps or spaces;
 5. Any other fixture, structure or condition which permits or allows or is in such a condition to permit or allow storm water, surface water or ground water to enter directly or indirectly a building drain, building sewer or public sanitary sewer.
- B. The Director of the Department of Public Works may give notification of the existence of such a condition described in Paragraph A of this Section either personally or by ordinary mail with postage fully prepaid to the owner of record of the property on which such a condition is located or to the person who last paid local real estate taxes on such property and upon the giving or mailing of such notification, the property owner shall be deemed to have notice of the existence of such a condition.
- C. The notification provided in Paragraph B of this Section shall be given if one or more of the following occurs:
1. An on-site visual or physical inspection of the property indicates the existence of a condition described in Paragraph A of this Section;
 2. A dye or TV monitor test indicates that water or dye placed in storm water, surface water or ground water collection or diversion devices or in the ground near the foundation of a building or structure located on such property enters the public sanitary sewer;
 3. A "smoke test" indicates that smoke placed into the public sanitary sewer under pressure is escaping through the ground or through downspouts, leaders, gutters, yard drains, area drains or other storm water collection or diversion devices located on the owner's property;

- D. The Director of the Department of Public Works is hereby authorized and directed to develop material describing the testing procedures hereinabove referred to and indicating the manner in which such tests shall be conducted.
- E. Any person to whom such notification is given may appeal the determination of the Director of the Department of Public Works to the Plumbing Board of Appeals of the Town of Normal by delivering to the Town Clerk of the Town within ten (10) days from the date of such notification is given a "Notice of Appeal" detailing the circumstances, grounds or reasons the property owner believes the Director's determination is incorrect or inaccurate, which said notification shall be substantially in the following form:

NOTICE OF APPEAL

TO: The Plumbing Board of Appeals of the Town of Normal

I, _____ (name) _____ am the owner of certain property located within the Town of Normal, commonly known as _____.

On (date of notification), I was notified that a condition described in SEC. 7.20-16 of the Municipal Code of the Town of Normal, Illinois, 1969, as amended, exists on my property. I do not believe that such a condition exists on my property, and therefore, appeal the Director's determination for the following reasons:

(Enumerate in detail the reasons the property owner does not believe the condition exists and/or the determination of the Director is inaccurate or incorrect.)

Signature of Property Owner

Upon the timely filing of such an appeal, the Plumbing Board of Appeals shall conduct an administrative hearing thereon, affording the property owner an opportunity to appear and present evidence in support of his or her appeal and to respond to affirmative defenses offered by the Director and providing the Director an opportunity to respond to the allegations or representations of the property owner, and to present affirmative material in support of the original determination. At the conclusion of the hearing, the Board shall sustain or reverse the determination of the Director and shall notify the property owner and Director of their decision by verbally announcing it at the hearing or in the absence of the property owner, by mailing a copy thereof to the owner at the address indicated in the Notice of Appeal.

A timely appeal shall stay the ninety (90) day period provided in the Director's notification from the date of filing of the appeal to the date of decision by the Board.
(Amended 4/5/76)

- F. A variation from the strict requirements of this SEC. 7.20-16 may be granted by the Director of Public Works once all of the following events have occurred:
1. Excavation of the building sewer line.
 2. Installation of band seal couplings.
 3. Infiltration inflow dye test completed. If there is still some leakage, the band seals are to be removed and the line visually lamped and inspected for cracks.
 4. If there are cracks in the building sewer, further excavation shall be performed so that the cracks can be repaired.
 5. Once the cracks have been repaired, or if there are no cracks, reinstall the band seals and perform another dye test. Steps 3, 4, and 5 may be repeated at the discretion of the Director of Public Works.
- G. If the Director of Public Works refuses to grant a variation after completion of all of the steps mentioned in the preceding subsection, appeal may be had to the Plumbing Board of Appeals as provided in subsection E.
(Subparagraphs F & G Added 8/20/79)

SEC. 7.20-17 EXTENSION OF PUBLIC SEWERS. When it is desired to extend a public sewer to private property which lies more than one hundred (100) feet from the public sewer, the extension of the public sewer shall be made by the property owner.

The size of the sewer to be built shall be approved by the President and Board of Trustees of the Town of Normal, but in no case shall it be less than eight (8) inches in diameter. The owner shall submit detailed construction plans and specifications to the President and the Board of Trustees for approval before the work is started. Construction methods shall be in accordance with the standard specifications used by the Town of Normal. All construction shall be subject to the inspection of the Director or other designated representative.

At the time the plans and specifications for extensions to public sewers are presented to the President and Board of Trustees, persons requesting said extension shall submit a completion bond or deposit cash in an escrow account in the penal sum sufficient to cover the estimated construction cost plus engineering, legal fees and inspection, which funds shall be used to pay the above-referenced costs after the project is accepted by the President and Board of Trustees. The completion bond shall be approved by the City Attorney.

The person, firm or corporation requesting the extension of said sewer shall dedicate all easements, temporary and permanent, necessary for the construction of said sewer as determined by the President and Board of Trustees of the Town of Normal.

- F. A variation from the strict requirements of this SEC. 7.20-16 may be granted by the Director of Public Works once all of the following events have occurred:
1. Excavation of the building sewer line.
 2. Installation of band seal couplings.
 3. Infiltration inflow dye test completed. If there is still some leakage, the band seals are to be removed and the line visually lamped and inspected for cracks.
 4. If there are cracks in the building sewer, further excavation shall be performed so that the cracks can be repaired.
 5. Once the cracks have been repaired, or if there are no cracks, reinstall the band seals and perform another dye test. Steps 3, 4, and 5 may be repeated at the discretion of the Director of Public Works.
- G. If the Director of Public Works refuses to grant a variation after completion of all of the steps mentioned in the preceding subsection, appeal may be had to the Plumbing Board of Appeals as provided in subsection E.

(Subparagraphs F & G Added 8/20/79)

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The person, firm or corporation requesting the extension of said sewer shall dedicate all easements, temporary and permanent, necessary for the construction of said sewer as determined by the President and Board of Trustees of the Town of Normal.

No connection shall be made to any sewer, or system of sewers of said Town, whether said extension be within or outside the corporate limits of said Town for the purpose of giving sewer service to any property line outside the corporate limits of said Town and no sewer service shall be given to any property lying outside the corporate limits except land in the corporate limits of Bloomington, Illinois. The President and Board of Trustees may have the right to approve the extension of their sewers by the City of Bloomington.

SEC. 7.20-18 USE OF PUBLIC SANITARY SEWERS.

- A. No person shall discharge, cause to be discharged or permit the discharge of any storm water, ground water, run-off, sub-surface drainage or unpolluted industrial process water from private property to any public sanitary sewer.
- B. No person shall discharge, cause to be discharged or permit the discharge of any material into the public sanitary sewer which does not comply with the Bloomington and Normal Sanitary District ordinances. (Amended 4/5/76)

SEC. 7.20-19 DAMAGE TO SEWERS. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the municipal sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

SEC. 7.20-20 POWERS AND AUTHORITY OF INSPECTORS. The Director and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this Division. (Amended 5/5/80)

SEC. 7.20-21 PENALTY. Any person violating any provision of this Chapter or permitting a violation to remain beyond the period of time provided for voluntary correction or elimination thereof, shall upon conviction, be fined not less than One Hundred (\$100.00) dollars or more than Five Hundred (\$500.00) dollars for each violation. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Amended 4/5/76)

(ENTIRE DIVISION 20 RENUMBERED BY ORDINANCE NO. 3029 9/21/81)

SEC. 7.20-22 CONSTRUCTION STANDARDS. All sewers and appurtenances thereto shall use materials and be installed in the manner meeting or exceeding the requirements, standards, and specifications contained in the Standard Specifications for Water and Sewer Main Construction in Illinois, the current edition as then modified, supplemented, and amended by the Town of Normal. Such standards and specifications with the modifications, amendments, and amplifications are available for public inspection and review in the Department of Public Works for the Town of Normal, Illinois, and are incorporated herein by reference. (Added 5/5/86)

DIVISION 21 - SEWER CHARGES

SEC. 7.21-1 SEWER CHARGES WHERE MUNICIPAL WATER SERVICE IS USED.

There shall be and there are hereby established the following rates and charges for the use and service of the Town's sewer system where the supply of water is from a municipal service:

A bi-monthly maintenance fee of \$3.00. For bills issued on or after April 1, 2011, the bi-monthly system maintenance fee shall be \$5.00. The system maintenance fee is imposed regardless of the quantity of water consumer. In addition to the bi-monthly system maintenance fee, there is a fee of \$1.19 per 1,000 gallons of water consumer, during the bi-monthly billing period. (Amended 3/16/92, Effective 2/1/93)(Amended 9/18/95, Effective 2/1/96)(Amended 12/18/00, Effective 2/1/01)(Amended 2/3/03, Effective 4/1/03)(Amended 2/2/04, Effective April 4, 2004)(Amended 2/5/07 by Ord. No. 5114)(Amended 2/1/10 by Ord. No. 5320, Effective for all bills issued on and after April 1, 2010)

All bills for sewer service shall be rendered for the preceding 60 day period for which the service is billed and shall be payable no later than the close of business on the 15th day following the date of bills as rendered. A penalty of 10% shall be added to all bills not paid within 15 days of the date of bill. When the 15th day of any month shall be a Sunday or a legal holiday, then such bill for service shall be payable on the next succeeding secular day without any additional penalty. Users outside the corporate limits of the Town shall pay rates equal to 150% of the rates established for users located within the corporate limits of the Town. (Amended 2/24/75, Effective 4/1/75)(Amended 3/7/83, Effective 7/1/83)(Amended 2/20/84, Effective 4/1/84)

SEC. 7.21-2 RATE INCREASE. If at any time the charges and rates herein fixed shall not be sufficient to pay the cost of operating and maintaining the sewerage system, to provide an adequate depreciation fund and other required reserve funds and to pay the principal and interest upon all the sewerage revenue bonds payable out of the revenues of the sewerage system issued by the Town of Normal, County of McLean, Illinois, which may be then outstanding, the Council shall forthwith increase the rates fixed by this Division so that same shall be sufficient to provide adequate revenues for said purposes.

SEC. 7.21-3 BILLING. Charges for sewerage service shall be made for a 60 day period and bills shall be rendered for such service at the same time as provided by this Chapter for rendering the water bills. A penalty of 10% shall be imposed, attached and collected in addition to and as a part of the charge or bill in the event of failure to pay on or before the 15th day following the date upon which the statements are rendered. In the event the charges for services are not paid within 30 days after rendition of the bill for such service, such charges shall be deemed, and are hereby declared, to be delinquent.

Charges for delinquent sewerage service shall be increased by 1% per month commencing with 4 months after a sewerage charge has become delinquent. Said 1% penalty shall be in addition to the 10% penalty which is applicable for prior delinquency and shall continue at the rate of 1% per month cumulative on the unpaid balance, plus penalty and accrued interest to the date of payment.

SEC. 7.21-4 DELINQUENCY, NOTIFICATION, PRE-TERMINATION HEARING AND TERMINATION OF SERVICES.

- A. In the event the charges for such service become delinquent as defined in SEC. 7.21-3, the Town Treasurer is hereby authorized and directed to cause notice to be given in writing to the owner of the premises, the occupant thereof and the user of the service that such delinquency exists, that any person believing such bill to be erroneous may request and appear at an administrative hearing before the Town Treasurer prior to termination and that absent such request or after the conclusion thereof, if the bill is found not to be erroneous, that such services shall be discontinued without further notice, by mailing a copy of such notice, addressed to "Occupant" at the address of the property served.
- B. That the Town Treasurer be and he is hereby authorized and directed to adjust bills he finds to be "erroneous" based on Town records.
- C. Upon the discontinuation of any service, a charge of \$2.00 shall be made for reconnecting or reinstating the same after settlement of the current account plus any delinquent charges incurred.
- D. Nothing in this Section shall be construed as limiting or denying the Town of its statutory right of lien against the owner of property for any charges or expenses incurred. (Amended 12/18/78)

SEC. 7.21-5 COLLECTION. The charges and rates hereby established by this division shall be collectible as against the owner or occupant of any and all real estate within the corporate boundary of the Town of Normal, for which said real estate use and service is supplied or made available, whether or not such owner or occupant has a direct or indirect connection with the Town sewerage service; provided, however that no charge shall be made to such owner or occupant if a sewer connection is not available from any street or alley running beside, in front of or in the rear of the property of said owner or occupant.

The charges and rates hereby established by this Division shall be collectible against the owner or occupant of any and all real estate outside said Town which make use of the services and facilities of the sewerage system or any part thereof.

In the event charges for sewerage service are not paid within 30 days and are declared delinquent, such delinquent charges shall constitute liens upon the real estate upon or for which sewerage services are supplied or available. The Town Clerk, or officer charged with the keeping of the records of sewerage charges, is hereby directed to file sworn statements showing such delinquencies in the Office of the Recorder of Deeds of the County of McLean, Illinois, which shall be deemed notice of the lien for payment for such sewerage services; provided, however, that the said officer may refrain from filing such a statement of delinquencies if the Town proposes to sue or shall have sued the occupant or user of said real estate in a civil action to recover such money due for sewerage services, plus a reasonable attorney's fees to be fixed by the Court.

It is hereby made the duty of the Town Treasurer, or such other officer as may be charged with the keeping of the records of sewerage charges for the Town of Normal, to render bills for sewerage services and all other charges in connection therewith and to collect all moneys due thereon. (Amended 9/19/83)

SEC. 7.21-6 REVENUE. All of the revenues and moneys derived from the operation of the sewerage system shall be held separate and apart from private funds and separate and apart from all other funds of the Town, and all of the same, without any deductions, shall be delivered to the Town Treasurer not more than ten days after the receipt of same, or after such more frequent intervals as may from time to time be directed by the Town Council.

SEC. 7.21-7 SEWER FUND. The Town Treasurer shall receive all of such revenues from the sewerage system and all other funds and moneys incident to the operation of said system as the same may be delivered to him, and deposit the same in a separate fund designated as the "Sewer Revenue Account" or the "Sewerage Fund of the Town of Normal" and shall divide and administer the said sewerage fund in every respect in the manner provided in the sewerage revenue bond ordinances of the Town. He shall establish a property system of accounts and shall keep proper books and records and accounts (separate from all other records and accounts) in which complete and correct entries shall be made of all transactions relating to the sewerage system. Such Town Treasurer shall, as of the close of each fiscal year, cause to be made an audit by a certified public account of the books to show the receipts and disbursements of the sewerage system, as well as a balance sheet and other customary showings to accurately relate the performance and operation of said system.

SEC. 7.21-8 BOND. Prior to the receipt of any revenues derived from said sewerage system, the Town Treasurer, or the officer charged with the keeping of records and collection of sewerage charges, shall execute a good and sufficient bond in the amount established by Resolution of the Town Council, conditioned upon faithful accounting for such funds and subject to the approval of the Town Council.
(AMENDED 9/21/81)(AMENDED 9/19/83)

SEC. 7.21-9 SEWER CHARGES WHERE NON-MUNICIPAL WATER SERVICE IS USED

- A. Private Meters Required. The owner of any property attached to the Town's sanitary sewer system which obtains its water from a source other than the Town of Normal shall install and maintain, at the owner's expense, water meters of a type approved by the Town for the purpose of determining the volume of water obtained from such other sources. The owner shall provide Town employees access to the water meter at all times. The private meter readings shall be used as the basis for billing for sewer service using the same rate as set forth in SEC. 7.21-1 of this Code.
- B. Delinquent Bills. In the event a bill for sanitary sewer service imposed under this Section becomes delinquent, the Town shall impose the same penalties and follow the same procedures as are set forth in SEC. 7.21-3 et. seq. of this Code. In addition to said penalties, the Town may disconnect properties for which sanitary sewer fees under this Section are delinquent from the Town's sanitary sewer.

(Added 7/3/89)

SEC. 7.21-10 FAILURE TO INSTALL PRIVATE WATER METERS. Any property owner who is required to install a private water meter pursuant to SEC. 7.21-9 and who fails to do so on or after August 1, 1989, shall be subject to a penalty of two hundred dollars (\$200.00). Each day shall constitute a separate violation of this Section. (Added 7/3/89)

DIVISION 22 - TAP-ON CHARGES FOR VARIOUS
TRUNK LINE SANITARY SEWERS AND STORM SEWERS

SEC. 7.22-1 REQUIREMENTS. Any person, firm, corporation, or agency whatsoever who shall be allowed to tap into any of the following listed trunk line sanitary sewers shall pay, separate and apart from any other charge, the tap-on or hook-up charge at the rate established in this Code for the particular trunk line sewer on a per acre or fraction thereof basis for each acre or fraction thereof which will drain its sanitary sewerage and/or storm drainage into said sewer. Said tap-on rate for sanitary sewers herein established shall apply only to users for residence purposes, school or church uses, and commercial purposes where the use of the individual commercial purpose shall not exceed 2,000 gallons per day of sewerage discharge per acre. It being understood that nothing shall preclude both residence and school, church or commercial purposes to occupy one acre of ground so long as the combined use of sewerage discharge will not exceed the 2,000 gallons per day. Under no circumstances shall sanitary sewerage be discharged into any storm sewer.

SEC. 7.22-2 DESIGNATED AREAS. General trunk line sanitary sewer or storm sewer areas are designated and described as follows:

- A. WEST SANITARY SEWER
- B. NORTH GROVE STORM SEWER
- C. NORTH SANITARY SEWER
- D. NORTH LINDEN SANITARY SEWER
- E. FIRESTONE SANITARY SEWER
- F. VERNON-GRANDVIEW STORM SEWER
- G. SOUTHEAST SANITARY SEWER
- H. ASH PARK SANITARY SEWER
- I. FAR WEST SANITARY SEWER (Added 2/6/84)
- J. NORTH LINDEN STREET EXTENSION SANITARY SEWER (Added 2/6/84)
- K. VETERANS PARKWAY SANITARY SEWER (Added 2/6/84)
- L. LANDINGS SANITARY SEWER (Added 11/18/86)
- M. UNI-PAR SANITARY SEWER (Added 12/21/87)
- N. NORTHTOWN PUMP STATION (Added 5/21/90)

- O. WAREHOUSE ROAD SANITARY SEWER (Added 5/21/90)
- P. HENRY STREET SANITARY SEWER (Added 2/19/01)
- Q. NORTH HENRY STREET SANITARY SEWER (Added 2/19/01)
- R. FIRESTONE SANITARY SEWER EXTENSION (Added 2/19/01)
- S. NORTHEAST SANITARY SEWER - AREA A (Added 8/7/01)

That the tap-on fee would apply to the following sewers and any extensions thereto, which are again listed under the categories above set forth and are described as follows:

- A. WEST SANITARY SEWER - contract with Jack Finley Co., completed April 30, 1970;
- B. NORTH GROVE STORM SEWER - contract with West Construction Company, dated August, 1966;
- C. NORTH SANITARY SEWER - contract with Elton A. Wagner Co., completed May 11, 1971;
- D. NORTH LINDEN STREET SANITARY SEWER - contract with Ralph W. Cassidy, dated April 18, 1967;
- E. FIRESTONE SANITARY SEWER - contract with Bluffview Contracting and Equipment Rental Leasing Company, dated July 2, 1965, and extension thereto under contract with Rowe Construction Company, dated April 10, 1968;
- F. VERNON-GRANDVIEW STORM SEWER - contract with Rowe Construction Company, dated July 30, 1965;
- G. SOUTHEAST SANITARY SEWER - contract with Wiegand and Storrer, dated March 23, 1971 and with Bloomington/Normal Sanitary District, dated May 24, 1971;
- H. ASH PARK SANITARY SEWER - contract with Rowe Construction Company, dated March 19, 1973;
- I. FAR WEST SANITARY SEWER - the sewer constructed by Wiegand and Storrer, Inc., under contract dated January 4, 1982. (Added 2/6/84)
- J. NORTH LINDEN STREET EXTENSION SANITARY SEWERS - the sewers constructed by West Construction Company under contract dated May 20, 1982, and by Walker Excavating, Inc. under contract dated May 18, 1983. (Added 2/6/84)
- K. VETERANS PARKWAY SANITARY SEWER - the sewer constructed by Walker Excavating, Inc., under contract dated May 18, 1983. (Added 2/6/84)

- L. LANDINGS SANITARY SEWER - the sewer constructed by Snyder Development Company under contract dated 1986. (Added 11/18/86)
- M. UNI-PAR SANITARY SEWER - Contract with Colclasure, Inc. dated September 8, 1986. (Added 12/21/87)
- N. NORTHTOWN PUMP STATION constructed by West Construction on September 23, 1987. (Added 5/21/90)
- O. WAREHOUSE ROAD SANITARY SEWER constructed by Willoughby & Dupree, Inc., under contract dated November 5, 1987. (Added 5/21/90)
- P. HENRY STREET SANITARY SEWER - Contract with Stark Excavating, Inc. dated October 4, 1993.
- Q. NORTH HENRY STREET SANITARY SEWER – Contract with Stark Excavating, Inc. dated October 19, 1998.
- R. FIRESTONE SANITARY SEWER EXTENSION - Contract with Stark Excavating, Inc. dated September 7, 1999.
- S. NORTHEAST SANITARY SEWER AREA A - Contract with Stark Excavating, Inc. and G.A. Rich & Sons, Inc. dated January 11, 2001. (Added 8/7/01)
- T. FIRESTONE SANITARY SEWER EXTENSION PHASE III – Contract with Hoerr Construction, Inc., of Peoria, Illinois, dated April 23, 2007. (Added 9/8/09)

SEC. 7.22-3 MAP. The areas that the tap-on charges would apply to as above-designated by name are shown on a certain map entitled Town of Normal Sewer Tap-On Map, revised on February 1, 2001, and approved by the City Engineer, which map is designated as Exhibit A and is attached by reference as though specifically set forth herein. This map may in the future be revised as the Town of Normal extends additional trunk line sewers to other areas. (Amended 3/15/82)

SEC. 7.22-4 FEES. The tap-on fee per acre for the above listed areas shall be as follows:

- | | | |
|----|--|------------------------------------|
| A. | WEST SANITARY SEWER | \$450 per acre or fraction thereof |
| B. | NORTH GROVE STORM SEWER | \$400 per acre or fraction thereof |
| C. | NORTH SANITARY SEWER | \$600 per acre or fraction thereof |
| D. | NORTH LINDEN SANITARY SEWER | \$450 per acre or fraction thereof |
| E. | FIRESTONE SANITARY SEWER
AND EXTENSIONS | \$408 per acre or fraction thereof |
| F. | VERNON-GRANDVIEW STORM
SEWER | \$450 per acre or fraction thereof |

G.	SOUTHEAST SANITARY SEWER	*\$160 per acre or fraction thereof
H.	ASH PARK SANITARY SEWER	\$5,000 per acre or portion thereof
I.	FAR WEST SANITARY SEWER (<u>Added 2/6/84</u>)	\$744 per acre or fraction thereof
J.	NORTH LINDEN STREET EXTENSION SANITARY SEWERS (<u>Added 2/6/84</u>)(<u>Amended 1/7/85</u>)	\$774 per acre or fraction thereof
K.	VETERANS PARKWAY SANITARY SEWER (<u>Added 2/6/84</u>)	\$1,265 per acre or fraction thereof
L.	LANDINGS SANITARY SEWER (<u>Added 11/18/86</u>)	\$1,658 per acre or fraction thereof
M.	UNI-PAR SANITARY SEWER (<u>Added 12/21/87</u>)	\$310 per acre or fraction thereof
N.	NORTHTOWN ROAD SANITARY SEWER PUMP STATION (<u>Added 5/21/90</u>)	\$2,195.00 per acre or fraction thereof
O.	WAREHOUSE RD. SANITARY SEWER (<u>Added 5/21/90</u>)	\$6,795.00 per acre or fraction thereof
P.	HENRY STREET SANITARY SEWER	\$1,335 per acre or fraction thereof
Q.	NORTH HENRY STREET SANITARY SEWER	\$1,378 per acre or fraction thereof plus 6% compounded annually from October 19, 1998
R.	FIRESTONE SANITARY SEWER EXTENSION	\$477 per acre or fraction thereof plus 6% compounded annually from September 7, 1999
S.	NORTHEAST SANITARY SEWER AREA A	\$1,685 per acre or fraction thereof plus 6% compounded annually from January 11, 2001 (<u>Added 8/7/01</u>)
T.	FIRESTONE SANITARY SEWER EXTENSION PHASE III	\$2,095.00 per acre or a fraction thereof, plus 6% interest compounded annually from September 8, 2009. (<u>Added 9/8/09</u>)

SEC. 7.22-5

*rate for single family residential use of property which shall be presumed to use 5,000 gallons per acre per day. Multi-family, commercial and manufacturing property or uses will be charged proportionately greater tap-on fee, according to the amount of sewage discharged into said sewer. (Amended 6/3/74)(Amended 8/7/78)

SEC. 7.22-5 APPLICATION. Any residence or business which presently is served by the Town of Normal's sewer system will not be charged the tap-on fee as stated above.

SEC. 7.22-6 ADDITIONAL REQUIREMENTS. It is a condition precedent to the allowance of any tap that said tap-on charge as herein established be paid to the Town of Normal, and it is further a requirement that anyone making such tap-on abide by all other ordinances and regulations of the Town, and that the above payment does not in any way eliminate the obedience to the requirement of other ordinances of said Town, most particularly the Land Subdivision Ordinance.

(ENTIRE DIVISION 22 RENUMBERED BY ORDINANCE NO. 3029, 9/21/81)

**DIVISION 23 - SEWER TAP-ON FEES FOR RECOUPMENT OF EXPENSES
INCURRED IN CONSTRUCTING PUBLIC SEWERS TO REPLACE NON-PUBLIC
SANITARY SEWAGE DISPOSAL SYSTEMS**

SEC. 7.23-1 REQUIREMENTS. Any owner of property described in SEC. 7.23-2 who shall be allowed or required to tap into any of the sanitary sewers designated therein shall pay, separate and apart from any other charge, tap-on or hook-up charge or fee, the amount of money specified in said Section.

SEC. 7.23-2 DESIGNATED SANITARY SEWERS, PROPERTY SERVED AND TAP-ON FEES. Designated sanitary sewers, the property served thereby and the applicable tap-on fees are as follows:

- A. 1977 Samantha Street - Morgan Street 8-inch sanitary sewer.

<u>PROPERTIES NOT PREVIOUSLY SERVED</u>	<u>TAP-ON FEE</u>
Block 2, Lot 3, Good's Addition	\$1,051.46
Block 2, Lot 4, Good's Addition	\$1,051.46
Block 2, Lot 5, Good's Addition	\$1,051.46
Block 2, Lot 6, Good's Addition	\$1,051.46
Block 2, Lot 7, Good's Addition	\$1,051.60
Block 2, Lot 8, Good's Addition	\$1,051.60
Block 2, Lot 9, Good's Addition	\$1,051.60
165 x 130 foot parcel located at the southeast corner of Adelaide and Morgan, Property Tax Identification No. 14-28-358-001	\$3,158.76
South half of Lots 11 and 12 in the 20th Addition to the Town of Normal	\$1,108.88
Lot 13 in the 20th Addition to the Town of Normal	\$1,181.77
Lot 14 in the 20th Addition to the Town of Normal	\$1,181.77
Lot 15 in the 20th Addition to the Town of Normal	\$1,181.77
Lot 16 in the 20th Addition to the Town of Normal	\$1,181.77
Lot 17 and 18 in the 20th Addition to the Town of Normal	\$2,363.54

B. 1977-78 Pine Ridge Subdivision Sewer Extension

PROPERTIES NOT SERVED

TAP-ON FEE

The north 140 feet of the west 140 feet of the east 5.07 acres of Lot 15 in Tuttle and Watson's Subdivision of a part of Sections 33 and 34, Township 24 North, Range 2 east of the Third Principal Meridian in McLean County, Illinois

\$1,050.00

The north 149.90 feet of the east 109.5 feet of Lot 15 in Tuttle and Watson's Subdivision of a part of Sections 33 and 34, Township 24 north, Range 2 east of the Third Principal Meridian in McLean County, Illinois

\$1,050.00

(Part B of SEC. 7.23-2 Added 12/5/77)

SEC. 7.23-3 ADDITIONAL REQUIREMENTS. It is a condition precedent to the allowance of any tap that said tap-on charges herein established be paid to the Town of Normal and it is a further requirement that anyone making such tap-on shall abide by all other ordinances and regulations of the Town.

(ENTIRE DIVISION 23 ADDED 4/4/77)

(ENTIRE DIVISION 23 RENUMBERED BY ORDINANCE NO. 3029 9/21/81)

DIVISION 24 - LOCATION OF SUMP PUMP DISCHARGES

SEC. 7.24-1 STANDARDS. Any sump pump discharge installed after July 1, 1995 shall be located, to meet the following requirements:

- A. **Street Right-of-Way Line.** The terminus of any sump pump discharge line shall be at least fifteen (15) feet behind the street right-of-way line;
- B. **Rear Property Line.** The terminus of any sump pump discharge line shall be at least ten (10) feet from the rear property line of a lot;
- C. **Side Property Line.** The terminus of any sump pump discharge line shall be at least two and one half (2 1/2) feet from any side property line of a lot; or
- D. **Direct Sewer Connection.** Where a sump pump discharge service is available to a lot, the sump pump discharge terminus from that lot shall be connected directly to a storm sewer.

SEC. 7.24-2 DEFINITIONS. For the purpose of this Division, "street right-of-way" is defined as property dedicated to the Town for road purposes, whether or not actually occupied by a street. For purposes of this Division, "sump pump discharge terminus" shall mean that point where water pumped by a sump pump is discharged from a pipe onto the ground surface, or into a sewer. For the purpose of this Division, "sump pump discharge service" means the tap connecting directly into a storm sewer.

SEC. 7.24-3 WAIVER. The Director of Public Works shall have authority upon application and good cause to waive the requirements of this Division. Good cause is limited to the following conditions:

- A. Compliance with this Division creates an adverse impact on adjoining property;
or
- B. Compliance with the Division does not meet reasonable engineering design practices.

SEC. 7.24-4 PENALTY. Any person owning, operating, or having control over a sump pump who fails to meet the setback discharge standards provided herein, or obtain a waiver, shall upon conviction thereof be punished by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00). A separate and distinct offense shall be regarded as committed each day said person shall continue any such violation, or permit any such violation to exist after notification or knowledge of the existence thereof.

(Entire Division 24 Added 6/19/95 by Ord. No. 4323)

DIVISION 30
STORM WATER UTILITY AND STORM WATER FUND

SEC. 7.30-1 STORM WATER UTILITY AND STORM WATER FUND.

- A. The Town hereby establishes a Storm Water Utility within the Public Works Department to provide for the management, protection, control, regulation, use, construction, and enhancement of the storm water systems and facilities owned or operated by the Town.
- B. The management and supervision of the Storm Water Utility shall be under the direction of the Director of Public Works.
- C. The Town hereby establishes a Storm Water Fund. All revenues of the Storm Water Utility shall be deposited into the Storm Water Fund and used for purposes of the Storm Water Utility as deemed appropriate by the Town Council.

SEC. 7.30-2 DEFINITIONS.

Combined Sewer means a sewer designed to receive or receiving both wastewater and storm or surface water.

Credit means a conditional reduction in the amount of a storm water service charge to an individual property based upon the provisions of the Town of Normal Storm Water Credit Manual.

Developed Land means property that has been altered from its natural state by the addition of impervious area equal to at least two (2) percent of the gross area.

Equivalent Residential Unit (ERU) shall be used as the basis for determining the storm water service charge to a parcel. Three thousand two hundred (3,200) square feet of impervious area shall be one ERU. The number of ERU's attributed to a parcel will be determined by dividing the total impervious area (square feet) of the parcel by three thousand two hundred (3,200) and rounding the result up to the next integer.

Impervious Area or Imperious Surface means those areas that prevent or impede the infiltration of storm water into the soil. Common impervious areas include, but are not limited to, rooftops, sidewalks, walkways, patio areas, driveways, parking lots, storage areas, compacted aggregate and awnings.

NPDES or National Pollutant Discharge Elimination System shall mean the national permitting program implemented under the Clean Water Act.

Single Family Residential (SFR) means developed land containing one dwelling structure which is not attached to another dwelling and which contains one or more bedrooms, with a bathroom and kitchen facilities, designed for occupancy by one family. SFR units may include houses (including duplexes), manufactured homes and mobile homes located on

one or more individual lots or parcels of land. Developed land may be classified as SFR despite the presence of a commercial use within the dwelling unit so long as such use does not result in the addition impervious areas such as parking spaces, playgrounds, structures or additions to the building which are used for non-residential uses.

Storm Water System shall mean a conveyance or system of conveyances and include sewers, storm drains, curbs, gutters, ditches, retention ponds or basins, dams, stream impoundments, manmade channels or storm drains and flood control facilities and appurtenances thereof which is designed or used for the collection, control, transportation, treatment or discharge of storm water. Combined sewers are not included in the storm water system.

Town means the Town of Normal, a municipal corporation organized under the laws of the State of Illinois.

SEC. 7.30-3 SCOPE OF RESPONSIBILITY FOR THE STORM WATER UTILITY.

The Storm Water Utility shall be responsible for the operation, maintenance, management, and improvement of the storm water system owned by the Town including all activities required by the NPDES Storm Water Permit.

SEC. 7.30-4 DETERMINATION OF STORM WATER SERVICES CHARGES.

Storm water services charges shall be determined by the Town Council. The revenue generated by storm water service charges together with any other sources of revenue that may be made available to the Storm Water Utility will be sufficient to meet the obligations of the Storm Water Utility.

SEC. 7.30-5 STORM WATER SERVICE CHARGES.

SEC. 7.30-5.1 SINGLE FAMILY RESIDENTIAL PROPERTY CHARGES. Owners of developed single family residential properties will be charged one ERU each. The charge per ERU is \$4.60 per month.

SEC. 7.30-5.2 PARCELS OTHER THAN SINGLE FAMILY RESIDENTIAL. Owners of developed properties other than single family residential will be charged based on the number of ERUs on the property. The charge per ERU will be \$4.60 per month.

SEC. 7.30-6 EXEMPTIONS AND CREDITS APPLICABLE TO STORM WATER SERVICE CHARGES PER MONTH.

- A. Owners of property in the Town containing developed land shall be charged storm water service charges except pedestrian/bicycle trails, streets and highway rights-of-way owned by a Township, McLean County, the Town of Normal, the State of Illinois, or the U.S. Government.
- B. Parcels shall be eligible to receive a storm water service charge credit based upon the requirements of the Town of Normal Storm Water Credit Manual.
- C. Any credit allowed against the storm water service charge is conditioned upon continuing compliance with the Town of Normal Storm Water Credit Manual.

SEC. 7.30-7 BILLING AND COLLECTION PROCEDURES.

- A. Billings for storm water service charges shall be rendered by the Water Department on a bi-monthly, quarterly, or annual basis at the discretion of the Town of Normal and may be billed in advance for services to be rendered.
- B. When storm water services charges are not paid on or before the due date stated on the bill, a penalty of ten (10) percent shall be added. Failure to receive a bill does not entitle the owner or customer to a remission of penalty.
- C. Notice must be given by the parcel owner or authorized agent if it is desired that bills be forwarded to any other address than the parcel address.
- D. The owner of any lot, building, or premises and the occupant thereof and the customer of the water service of said system shall be jointly and severally liable to pay for such storm water service charges for said premises.
- E. In the event that the Town deems it necessary to refer past due storm water services charges for collection, the Town may additionally recover its actual expenses so incurred, including but not limited to, court costs, collection agency fees, and reasonable attorney's fees.

SEC. 7.30-8 STORM WATER SERVICE CHARGES BILLED IN COMMON. The storm water service charge may be billed on a common statement and collected along with Town water, sewer, and waste collection charges.

SEC. 7.30-9 APPEALS. Any customer who believes the provisions of this Division have been applied in error may appeal in the following manner:

- A. An appeal must be filed in writing with the Director of Public Works. In the case of service charge appeals based on a dispute concerning an ERU calculation or impervious area, the appeal shall include a survey prepared by a Licensed Land Surveyor or Licensed Professional Engineer containing information on the total property area, the impervious surface area, and any storm water management features, such as detention facilities or conditions which influence the hydrologic response of the property to rainfall events. All pertinent calculations shall be included.
- B. Using the information provided by the appellant, the Director of Public Works shall conduct a technical review of the conditions on the property and respond to the appeal in writing within sixty (60) days.
- C. In response to an appeal, the Director of Public Works may adjust the storm water service charge and any late payment penalties applicable to a property in conformance with the general purpose and intent of this Section.
- D. A decision of the Director of Public Works that is adverse to an appellant may be appealed to the City Manager for review.

- E. Any appeal of the decision of the City Manager must be made pursuant to Illinois Law.

SEC. 7.30-10 PARTIAL INVALIDITY. The provisions of this Ordinance are severable, and if any of the provisions shall be held unlawful by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

(Entire Section 7.30 Added April 17, 2006, by Ord. No. 5072)

DIVISION 31
STORM WATER STORAGE FACILITIES

SEC. 7.31-1 REQUIREMENTS. Any person, firm, corporation or agency that develops property within the Town of Normal shall provide storm water storage facilities on the developed property according to the standards set forth in this Division, or, upon Town direction, pay a fee in lieu of constructing such storm water storage facilities. (Amended 1/20/86)

SEC. 7.31-2 DEFINITION. The term "develop or development" as used in this Division shall mean one of the following acts on any lot or tract of ground for which a subdivision plat has been previously approved or where no subdivision plat is required: the erection or construction of any building, structure, or parking lot of more than four (4) spaces upon any lot or tract of ground which results in an increase in the amount of storm water runoff compared to the storm water runoff from said lot or tract of ground based on use at the time this Division is adopted. Development shall not include alteration or remodeling of buildings or structures in existence at the time this Division is adopted.

Development shall not include the erection or construction of any building or structure on any lot in an R-1AA, R-1A, or R-1B Single-Family Residential Zoning District, provided said lot is within a subdivision, the final plat for which was filed of record prior to April 1, 1985. (Added 12/2/85)

SEC. 7.31-3 STANDARDS

- A. No development shall take place within the Town of Normal unless there is an adequate storm water outlet or the Town has approved retention or detention facilities for the property. The developer shall show by detailed calculations that the storm water outlet is adequate for a 25-year rain. The calculations are subject to Town review and approval. If the storm water outlet is not adequate, the developer shall submit storm water storage facility plans for Town review and approval. The storm water storage facility shall be designed for a 50-year rain with an assumed coefficient for the particular zoning district where the development occurs as set forth in SEC. 7.31-4 of this Division and a release rate based on a runoff coefficient of .25 for a 3-year rain.
- B. In connection with any required storage facilities, the Developer shall submit plans, specifications, and drainage calculations to the Town for review and approval. Plans shall be prepared by a registered professional engineer. Plans and calculations shall include existing and proposed elevation of site, including buildings with streets adjacent to the site(s).
- C. Formulas for determining the size of detention and retention basins shall be based on the latest Illinois Division of Highways Standards for Storm Water Runoff and the latest Greater Chicago Sanitary District Standards for Storage. A copy of the latest Standards for Storm Water Runoff and Storage issued by the Illinois Division of Highways and the Greater Chicago Sanitary District are on file with the Town Clerk and incorporated herein by reference.

SEC. 7.31-4 FEE IN LIEU. Upon Town direction, the Developer shall pay a fee in lieu of constructing storm water facilities as required by this Division, or by the Town Subdivision Code (Chapter 16 of the Municipal Code, (Amended 1/20/86) of the Town of Normal, Illinois, 1969, as amended). The fee is based on the following criteria:

- A. The use permitted by the Town Zoning Code and the size of the parcel of land to be developed bears directly on the amount of storm water runoff generated by such parcel. The higher the zoning classification, the more intense the land use, thereby increasing storm water runoff.
- B. The estimated storm water runoff generated from development in various zoning districts is expressed by a coefficient representing the imperviousness of the land as determined in accordance with the rational formula. The runoff coefficients for the various zoning districts within the Town of Normal are as follows:

- A - Agriculture District: 0.25
- R-1AA - Single Family Residence District: 0.30
- R-1A - Single Family Residence District: 0.35
- R-1B - Single Family Residence District: 0.45
- R-2 - Mixed Residence District: 0.55
- R-3A - Medium Density Multiple-Family Residence District: 0.70
- R-3B - High Density Multiple-Family Residence District: 0.80
- R-4 - Mobile Home Residence District: 0.45
- S-1 - University District: 0.75
- S-2 - Public Lands and Institutions District: 0.30 - 0.80
- S-4 - Historic and Cultural District: 0.30 - 0.80
- C-1 - Office District: 0.60
- C-2 - Neighborhood Shopping District: 0.90
- C-3 - Community Shopping District: 0.90
- C-4 - Regional Shopping District: 0.90
- B-1 - General Business District: 0.80
- B-2 - Central Business District: 0.90
- M-1 - Restricted Manufacturing District: 0.75
- M-2 - General Manufacturing District: 0.85

SEC. 7.31-5 FEE RATE

- A. For Parcels of Undeveloped Property. In the event the Town directs a developer to pay a fee in lieu of constructing storm water storage facilities, such fee shall be in amounts not less than the following:

- A - Agriculture District: \$225 for each 1/3 acre or fraction thereof to be developed.

- R-1AA - Single-Family Residence District: \$275 for each 1/3 acre or fraction thereof to be developed.

R-1A - Single-Family Residence District: \$320 for each 1/3 acre or fraction thereof to be developed.

R-1B - Single-Family Residence District: \$410 for each 1/3 acre or fraction thereof to be developed.

R-2 - Mixed Family Residence District: \$500 for each 1/3 acre or fraction thereof to be developed.

R-3A - Medium Density Multiple-Family Residence District: \$642 for each 1/3 acre or fraction thereof to be developed.

R-3B - High Density Multiple-Family Residence District: \$734 for each 1/3 acre or fraction thereof to be developed.

R-4 - Mobile Home Residence District: \$408 for each 1/3 acre or fraction thereof to be developed.

S-1 - University District: \$683 for each 1/3 acre or fraction thereof to be developed.

S-2 - Public Lands and Institution District: Fee to be based upon actual development plans accurately showing the increase in storm water run-off generated by the proposed development.

S-4 - Historic and Cultural District: Fee to be based upon actual development plans accurately showing the increase in storm water run-off generated by the proposed development.

C-1 - Office District: \$500 for each 1/3 acre or fraction thereof to be developed.

C-2 - Neighborhood Shopping District: \$825 for each 1/3 acre or fraction thereof to be developed.

C-3 - Community Shopping District: \$825 for each 1/3 acre or fraction thereof to be developed.

C-4 - Regional Shopping District: \$825 for each 1/3 acre or fraction thereof to be developed.

B-1 - General Business District: \$734 for each 1/3 acre or fraction thereof to be developed.

B-2 - Central Business District: \$825 for each 1/3 acre or fraction thereof to be developed.

M-1 - Restricted Manufacturing District: \$683 for each 1/3 acre or fraction thereof to be developed.

M-2 - General Manufacturing District: \$775 for each 1/3 acre or fraction thereof to be developed.

(Amended 3/17/86)(Amended 11/3/86)

- B. For additions to Developed Parcels: Where the proposed development consists solely of an addition to an existing structure, building or parking lot and the Town directs payment of a fee in lieu of constructing storm water storage facilities, such fee shall be calculated based on the actual amount of additional runoff caused by said addition. The developer shall submit to the Town calculations showing the size of the addition to the existing structure, building or parking lot. The developer shall pay a fee based on the size of the proposed addition. Such fee shall be Twenty-eight dollars (\$28.00) per 1/100th of an acre or fraction thereof occupied by the proposed addition. Such fee is based on a runoff coefficient of .90 representing the imperviousness of the land as determined in accordance with the rational formula.

(Added 11/3/86)

SEC. 7.31-6 USE OF FEE. The cash contribution paid in lieu of construction of storm water storage facilities shall be held by the Town or other public body designated by the Town solely for the improvement, acquisition, construction, or development of storm water storage facilities or other storm water management projects designed to serve the immediate or future needs of the Town of Normal and to reduce storm water flooding.

SEC. 7.31-7 REFUND OF FEE. Upon Town approval, all or a portion of the cash contribution paid pursuant to this Division for a particular parcel of property may be refunded to the then current owner of the property in the event such owner constructs storm water storage facilities on site in conformance with the standards imposed by this Division. The fee refunded shall be determined by multiplying the original fee amount by a fraction, the numerator of which is the area of the original development served by the storm water storage facility, and the denominator of which is the total area of development for which a fee was originally paid.

SEC. 7.31-8 PAYMENT OF FEES. Payment of the storm water storage fee shall be made upon the earlier of the following events:

- A. Prior to the issuance of any building permit for development;
- B. Prior to recording of a final subdivision plat.

SEC. 7.31-9 BUILDING PERMIT. No building permit shall be issued for development within the Town of Normal as provided herein, until all requirements of this Division are met.

SEC. 7.31-10 SPECIFIC STANDARDS FOR OFF-STREET PARKING AREAS:

- A. Notwithstanding payment of any fee as provided in this Division, all off-street parking areas of more than four (4) spaces shall provide on-site catch basins and inlets so designed as to collect all storm water from the parking lot through a minimum twelve (12) inch inside diameter enclosed storm water conduit to an adequate storm sewer outlet. (Amended 1/20/86)

- B. Owners of parking areas of more than four (4) spaces may apply for a waiver of the above requirement from the Director of Public Works, provided storm water falling on the parking lot can be accommodated in accordance with the accepted engineering standards including, but not limited to, detention, retention, or swales, and either of the following exists:
 - 1. The closest storm sewer is more than 100 feet from the property line that the parking lot is upon; or

 - 2. The closest storm sewer does not have adequate capacity to accommodate additional storm flow.

(ENTIRE DIVISION 31 OF CHAPTER 7 AMENDED BY ORDINANCE NO. 3388, 4/1/85)

EXHIBIT "A"

NEW MAIN PROCEDURE

JULY 25, 1980

New watermains, firelines, and services six (6) inches in diameter and larger must be hydrostatically pressure and leak tested, flushed, disinfected, and bacteriologically examined before being served by the Town of Normal Municipal water system.

Procedures for installation and inspections are as follows:

1. Construction of new mains shall not commence until the party contracting and requesting the new main has filed an acceptable performance bond or escrow account similar to what is required in the Town's Subdivision Code for bonding new construction. Included in the bond shall be the cost of replacing all public property, in public right-of-way or easements. Where mains are to be constructed on the owner's property and maintained by the owner, only the cost of inspection shall be included in the bond or escrow account.
2. Taps to City mains will be made by the Normal Water Department. No taps will be made until a set of acceptable plans showing all proposed new watermains, valves, fire hydrants, meters, and services are on file in the Water Department office.
3. Foreign material shall be prevented from entering the pipe while it is being placed in the trench. During laying operations, no debris, tools, clothing, or other material shall be placed in the pipe. At times when pipe laying is not in progress the open ends of pipe shall be closed by a water-tight plug. All trenches must be pumped dry preceding any pipe laying operations.
4. Upon completion of the pipe laying operation hydrostatic pressure and leak testing must be accomplished. All water used for the test must be potable, containing a chlorine residual of not less than .2 parts per million.

Criteria for basis of acceptance of the pressure and leak tests are according to ANSI/AWWA C600-77 standards as follows:

- (a) Hydrostatic pressure shall be 90 PSI for at least two (2) hours duration and shall not vary by more than + 5 PSI. Before applying the specified test pressure, air shall be expelled completely from the pipe.
- (b) Allowable leakage is determined by the following formula:

$$L = \frac{ND \sqrt{P}}{7400}$$

in which L is the allowable leakage in gallons per hour, N is the number of joints subjected to the test; D is the nominal diameter of the pipe, and P is the average test pressure during the test in psi.

All visible leaks are to be repaired regardless of the amount of leakage.

All tests must be scheduled, and witnessed by the Normal Water Department.

5. After hydrostatic testing has been successfully completed the main must be flushed, attaining a minimum velocity of at least two (2) feet per second. Flushing must continue until all particulate matter and discoloration has been removed.
6. Disinfection following flushing must be accompanied by either the continuous feed or slug method. The tablet method is not acceptable and is not to be used except with the expressed written permission of the Director of Water. A chlorine residual of at least fifty (50) parts per million must be attained initially and twenty-five (25) parts per million residual present after twenty-four (24) hours when the preferred continuous feed method is used. If the slug method is used, three hundred (300) parts per million must be retained for a minimum of three (3) hours, or five hundred (500) parts per million retained for thirty (30) minutes. Attainment of initial and final chlorine residuals must be verified by the Water Department.
7. After disinfection, bacteriological testing must be done to insure the public health of the main. All samples must be collected by a designated sample collector of the Normal Water Department and tested at an EPA approved laboratory.

No new watermains or extensions thereto will be approved for public use until permits, if required, have been obtained from the Illinois EPA, and all of the above criteria has been successfully completed.

(Adopted 9/21/81)