

WILL COUNTY SEWAGE TREATMENT AND DISPOSAL ORDINANCE

CHAPTER 1. PURPOSE

An Ordinance to amend the minimum requirements, design, location, installation, construction, maintenance, and operation of all sewage treatment or disposal systems and appurtenances, requiring the approval of the Health Authority before final subdivision approval is issued, and repealing those parts of the Will County Sewage Treatment and Disposal Ordinance approved August 5, 1963, amended June 14, 1976, and amended April 14, 1976, and amended April 25, 1979, Amended April 18, 2002 and August 1, 2005 which are in conflict herewith and fixing penalties.

Be it ordained by the Will County Board as follows:

CHAPTER 2. DEFINITIONS

* Terms not herein defined shall have the meaning customarily assigned to them.

"Health Authority" shall mean the Health Officer and/or the Executive Officer of the Will County Health Department or their duly authorized representatives.

"Sewage" means the water-carried human or animal wastes from residences, buildings, industrial establishments, or other places, together with such ground water infiltration and surface water as may be present. The admixture with sewage as above defined of industrial wastes or other wastes as hereafter defined, shall also be considered "sewage".

"Industrial Waste" means any liquid, gaseous, solid or other waste substance or a combination thereof resulting from any process of industry, manufacturing trade or business or from the development, processing or recovery of any natural resources.

"Other Wastes" means garbage, refuse, wood residues, sand, lime, cinders, ashes, offal, night soil, silt, oil, tar, dye stuffs, acids, chemicals, and all other substances not sewage or industrial waste which may cause or tend to cause pollution.

"Sewage Treatment or Disposal System" means any sewage handling or treatment facility receiving domestic sewage and having a ground surface discharge or any sewage handling or treatment facility receiving domestic sewage and having no ground surface discharge.

"Sewer" shall mean a pipe or conduit used for carrying sewage.

"Combined Sewer" shall mean a sewer receiving both surface water runoff and sewage.

"Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

"Storm Water" shall mean any water resulting from precipitation mixed with the accumulation of dirt, soil, and other precipitation falls or flows.

"Person" shall mean any individual, firm, partnership, broker, corporation, association, or organization.

"Bedroom" shall mean any room within the building that is used for sleeping purposes or could be converted into a room used for sleeping purposes, such as a den or sewing room.

"Permit" shall mean a written permit issued by the Health Authority or its authorized representative permitting the construction of a sewage treatment or disposal system under this Ordinance.

"Septage" means the solid and liquid waste removed from a sewage treatment or disposal system, (excluding wastes from portable toilets, holding tanks, grease traps and sewage treatment plant sludge).

"Sewage Treatment or Disposal System Installation Contractor" means any person constructing, installing, repairing, modifying, or maintaining sewage treatment or disposal systems.

"Sewage Treatment or Disposal System Pumping Contractor" means any person who cleans or pumps waste from a sewage treatment or disposal system or hauls or disposes of waste removed there from.

"Sewage Treatment or Disposal system Installation Contractor's License" shall mean an annual license issued by the Health Authority to all Sewage Treatment or Disposal Installation Contractors engaged in the installation of sewage treatment or disposal systems within the County of Will. This license shall expire on December 31 of the year it is issued.

"Sewage Treatment or Disposal System Pumping Contractor's License" shall mean an annual license issued by the Health Authority to all Sewage Treatment or Disposal Pumping Contractors engaged in the cleaning or pumping, hauling or disposing of waste from a sewage treatment or disposal system. This license shall expire on December 31 of the year it is issued.

CHAPTER 3. RESIDENTIAL AND/OR INDUSTRIAL SUBDIVISIONS

3.1 Subdivisions where private sewage treatment and disposal systems are to be used, must be approved by the Health Authority. Subdivisions utilizing public sewage treatment and disposal facilities located in unincorporated areas of Will County must be approved by the Health Authority. There shall be a plat review fee for all proposed subdivisions. A Plat Review fee for all subdivisions must be submitted prior to review by the Environmental Health Staff. The fee shall be designated in Appendix A.

3.2 Any subdivision being developed which is in part within 1,320 feet of an existing available approved sewer shall not be developed by utilizing septic tanks and ground absorption trench systems or individual mechanical sewage treatment systems unless the lots in that subdivision are two and one-half (2 1/2) acres or more in area. An approved sewer, for the purpose of this section, shall mean a sewer connected to and served by a sewage treatment plant operated by the county, township, a municipality, sanitary district or privately owned utility company.

3.3 In subdivisions not falling within the requirements of Section 3.2, all individual Sewage Disposal Systems shall be designed based upon the soil class as identified by an on-site soil evaluation. This evaluation shall be conducted by the Health Authority on each of the lots in the proposed subdivision. The latest official Will County Soil Maps shall be used to determine the names and numbers of each soil class. Soil classes shall be as described in the Will County Soil Report 80.

3.4 Soil Evaluation: There shall be a fee for each soil evaluation conducted by the Health Authority. The fee shall be paid in advance and shall be made payable to the Will County Health Department. This fee shall not be returnable. The fee shall be designated in Appendix A. Table 1 shall be used to group Will County soils into categories based on their similar percolation rates, soil permeability, and textural class.

3.5 Table 2 shall be used in establishing the minimum lot size and minimum lot width where a private well or public water supply is used. Table 2 shall be used in establishing the minimum size of the Ground Absorption Trench System based upon the soil categories listed in Table 1. The minimum lot size shall exclude any easements or other conditions that would limit the area available to be used for Ground Absorption Trench Systems.

3.6 The minimum lot widths as set forth in Table 2, will be waived on all lots fronting on a cul-de-sac and lots fronting on a curved portion of a street. However, the minimum lot width as set forth in Table 2, must be available in that area designated for the installation of the Ground Absorption Trench System.

3.7 Subdivisions proposed to utilize Individual Mechanical Sewage Treatment Systems must have a minimum lot size of 40,000 square feet, a minimum lot width of 120 feet and provide sufficient room between the proposed building sites so that equipment can enter each lot for the purpose of maintaining and/or replacing the mechanical treatment unit and the sand filter. A site inspection shall be conducted by the Health Authority to determine the suitability of each lot for the installation of Individual Mechanical Sewage Treatment Systems. There shall be a fee for each site inspection. The fee is due in advance and shall be made payable to the Will County Health Department. This fee shall not be returnable. The fee shall be designated in Appendix A.

3.8 If the proposed final topography of any lot within the subdivision will change the elevation by more than one (1) foot in the area to be used for the installation of the ground absorption trench system, a second on site soil evaluation will be required after the final grading is accomplished and prior to final approval of the subdivision. Based upon the results of this second on site soil evaluation, the lot sizes shall be required as outlined in Table 2.

3.9. The latest official soil maps for Will County as prepared by the Soil Conservation Service of the United States Department of Agriculture shall be utilized in evaluating all proposed subdivisions. The following soils have been determined as having specific limitations regarding the satisfactory operation of ground absorption trench systems. These soils are frequently or continuously waterlogged and are subject to periodic inundation by storm water runoff. They have a reasonably high water table which tends to impair the continuous satisfactory operation of ground absorption trench systems.

The installation of ground absorption trench systems in the following soils shall not be permitted unless an engineering plan providing specific solutions which will permanently overcome the ground water conditions is received and approved by the Health Authority.

67 Harpster Silty Clay Loam	232 Ashkum Silty Clay Loam
69 Milford Silty Clay Loam	235 Bryce Silty Clay
82 Millington Loam	238 Rantoul Silty Clay
89 Maumee Fine Sandy Loam	317 Millsdale Silty Clay Loam
103 Houghton Muck	321 DuPage Silty Clay Loam
130 Pittwood Fine Sandy Loam	329 Will Silty Clay Loam
152 Drummer Silty Clay Loam	330 Peotone Silty Clay Loam
197 Troxel Silt Loam	347 Canisteo Loam
206 Thorp Silt Loam	451 Lawson Silt Loam
210 Lena Muck	

3.10 Proposed Subdivision Plan Review: The following pertinent data must be submitted to the Health Authority by a professional engineer, architect, or surveyor. This data must be acceptable to the Health Authority before final approval is given on the subdivision.

1. Legal description of the site.
2. Plat showing subdivision of site into individual lots, dimensions of lots, portions of lots subject to setback, and easement requirements.
3. Topographical map showing original and final contours at two foot intervals shall be superimposed on the plat of subdivision.
4. Data on present and past use of the site, existing vegetation, crops, trees, etc.
5. All available and known information on existing drainage systems in the proposed subdivisions, both surface and underground. Where tile exist, their size, location, and outlets shall be indicated on the topographical map.
6. A soil overlay based on the latest official soil maps for Will County as prepared by the Soil Conservation Service of the United States Department of Agriculture.
7. Soil boring tests to a maximum depth of thirty-two (32) feet to determine soil cover over limestone rock will be required on each subdivision unless the information is available through the Illinois Geological Survey Division.
8. A detailed description and specific location of the water supply and sewage disposal system on each lot in the proposed subdivision.

3.11 All undeveloped lots located in subdivisions which were legally recorded prior to the passage of the July 16, 1987, amendments to the ordinance, will not be affected by the minimum lot sizes as set forth in the July 16, 1987, amendments. In the event said existing lot is reduced in size, all restrictions herein set forth in the July 16, 1987, amendments to this ordinance shall be applicable.

3.12 All parcels of land located other than in legally recorded subdivisions which were in existence prior to the passage of the July 16, 1987, amendments to the ordinance will not be affected by the minimum lot sizes as set forth in the July 16, 1987, amendments. In the event said existing parcel of land is reduced in size, all restrictions herein set forth in the July 16, 1987, amendments to the ordinance shall be applicable.

3.13 All existing subdivision lots and parcels of land as outlined in Chapters 3.11 and 3.12 will be accepted by the Health Authority for the installation of sewage treatment or disposal systems consisting of septic tanks and ground absorption trenches only if all other requirements of this ordinance can be fully complied with.

CHAPTER 4. SEWAGE PERMITS

4.1 Before an application for a new sewage permit can be received by the Health Authority, an on site soil evaluation must be obtained by methods as prescribed in other sections of this Ordinance. A legal description and plat of survey must be submitted to the Health Authority prior to the on site soil evaluation.

4.2 An approved and completed application must be submitted to the Health Authority in triplicate for a sewage permit. The application shall be on forms provided by the Health Authority and shall contain the following information:

1. The location and legal description of the property involved.
2. The owner's name, mailing address, and telephone number.
3. The size and area of the lot or building site.
4. In all residential buildings, the number of bedrooms, water closets, lavatories, bathtubs, showers, clothes washing machines, garbage grinders or disposals, and all other plumbing fixtures requiring water.
5. In all buildings other than residential, the number of water closets, urinals, lavatories, sinks, showers, and any other fixtures or process which requires water.
6. A description including sizes of each unit of the proposed sewage treatment or disposal systems.
7. The proposed private sewage treatment or disposal contractor's name, contractor's Will County registration number, address, telephone number, and signature.
8. The date and signature of owner if different than the private sewage treatment or disposal system contractor.
9. The results of the on site soil evaluation or the average percolation rate, date of tests, and name of Health Authority representative who supervised the tests.
10. A scale plat plan showing the actual location of all pertinent data such as well or wells, all buildings on property, the proposed location of sewage system and a complete layout of the sewage system, all driveways, or other paved areas, and other situations which could affect the operation or maintenance of the sewage treatment or disposal system.

4.3 A sewage permit must be issued by the Health Authority before the commencement of construction or repair of a Sewage Treatment or Disposal

System takes place. All sewage permits will be void one year after date of issue. A fee shall be charged for the re-issuance of any permit which has been voided for reason of being older than one (1) year. All fees are designated in Appendix A.

4.4 Should the elevation of the original ground in the area to be used for the installation of the ground absorption trench system be changed by filling or excavating to the degree that would render the percolation rate or the on-site soil evaluation useless, it will be mandatory to conduct a percolation test or an on-site soil evaluation on the changed ground. The type and size of the sewage disposal system, if allowed, will be based on the results of this evaluation. There shall be a fee for each soil evaluation and for each percolation test. All fees are designated in Appendix A. This fee is due in advance and shall be made payable to the Will County Health Fund.

4.5 Each application for permit for the installation of a new septic system shall be accompanied by a fee designated in Appendix A. This fee shall not be returnable in the event that an individual decides not to construct the proposed septic system. An application for the installation of an Individual Mechanical Sewage Treatment System shall be accompanied by a permit fee designated in Appendix A. This fee shall not be returnable in the event that an individual decides not to construct the proposed sewage treatment or disposal system. A fee shall be charged for permits to repair, extend, or alter an existing sewage treatment or disposal system. All Fees are designated in Appendix A.

CHAPTER 5. SEWAGE TREATMENT OR DISPOSAL SYSTEMS

5.1 All sewage treatment or disposal systems to be installed in Will County must comply with the requirements of this Ordinance and must comply with Illinois Department of Public Health, Private Sewage Disposal Licensing Act and Code.

5.2 A sewage permit must be issued by the Health Authority before the commencement of construction or repair of a sewage treatment or disposal system.

5.3 An approval from the Illinois Environmental Protection Agency and the Health Authority must be obtained before a permit or subdivision approval can be issued by the Health Authority regarding the installation of a sewage treatment or disposal system designed to discharge more than 1,500 gallons per day.

5.4 All sewage treatment or disposal units which have liquid surfaces open to the free atmosphere must be located at least 200 feet from the property line. Utility easements, railroad easements, statutorily dedicated roadways, rivers and other bodies of water may be used to comply with the 200 foot requirement.

5.5 All sewage treatment and disposal systems shall be operated and maintained in a neat and orderly manner so that no objectionable health hazardous conditions, odor conditions, or unsanitary conditions exist.

5.6 A building permit shall not be issued in Will County for construction which will require a sewage treatment or disposal system, until the Health Authority has issued a written sewage permit authorizing the installation

of said system. A building being served by a sewage treatment or disposal system shall not be occupied until the Health Authority has provided its final approval on the installation of the sewage treatment or disposal system.

5.7 A satisfactory on-site soil evaluation must be obtained on each lot before a new sewage permit can be issued for the installation of individual sewage disposal systems consisting of ground absorption trenches. The minimum requirements for each lot shall be determined by the criteria listed in Table 2. The evaluation shall be conducted under the direct supervision of the Health Authority and following the method described in Appendix B.

5.8 The following minimum requirements shall apply to the installation of all individual sewage disposal systems constructed to serve a single family dwelling:

1. All septic tanks must have the approval of the Illinois Department of Public Health. Any tank constructed in place must meet the requirements of Section 905.40 of the Illinois Department of Public Health Private Sewage Disposal Licensing Act and Code. Septic tanks installed to serve a three (3) bedroom home or less must have a liquid capacity of 1,000 gallons. For each bedroom in excess of three (3) bedrooms, an additional 250 gallons must be added to the liquid capacity of the tank. If a garbage disposal or grinder is provided, the total liquid capacity of the tank must be increased by 50%.

Whenever more than one (1) tank is to be installed, they must be installed in series with the first tank having between one-half (1/2) and two-thirds (2/3) the total capacity provided.

2. Distribution boxes must be installed in accordance with Section 905.50 of the Illinois Department of Public Health, Private Sewage Disposal Act and Code.

3. On all legally recorded subdivision lots approved prior to the April 25, 1979, amendment to this ordinance, the following ground absorption trench system sizes shall apply for three (3) bedroom homes or less without garbage disposal or grinders:

- a. At least 900 square feet of horizontal trench area consisting of 300 lineal feet of 36" wide trench system must be installed provided an average percolation rate of 90 minutes or less was obtained.

- b. At least 1,200 square feet of horizontal trench area consisting of 400 lineal feet of 36" wide trench system must be installed provided an average percolation rate of not less than 91 minutes nor more than 180 minutes was obtained.

- c. At least 1,500 square feet of horizontal trench area consisting of 500 lineal feet of 36" wide trench system must be installed provided an average percolation rate of not less than 181 nor more than 270 minutes was obtained.

- d. At least 1800 square feet of horizontal trench area consisting of 600 lineal feet of 36" wide trench system must be installed provided an average percolation rate of not less than 271 minutes nor more than 360 minutes was obtained.

e. At least 2,400 square feet of horizontal trench area consisting of 800 lineal feet of 36" wide trench system must be installed provided an average percolation rate of not less than 361 minutes nor more than 540 minutes was obtained on a large parcel of land five (5) acres or greater.

f. On all legally recorded lots approved prior to the June 14, 1976, amendment to this ordinance, the following ground absorption trench system sizes shall apply for three bedroom homes or less without garbage disposal or grinders:

i. At least 900 square feet of horizontal trench area consisting of 300 lineal feet of 36" wide trench system must be installed provided an average percolation rate of less than 180 minutes was obtained.

ii. At least 1,200 square feet of horizontal trench area consisting of 400 lineal feet of 36" wide trench system must be installed provided an average percolation rate of not less than 180 minutes nor more than 360 minutes was obtained.

5.9 For each bedroom in excess of three (3) bedrooms, an additional 100 lineal feet of 36" wide trench shall be added to the system. If a garbage disposal or grinder is provided, an additional 100 lineal feet of a 36" wide trench shall be added to the system.

5.10 If the contour of the ground requires a hillside or step down type of absorption system, then a serial type installation shall be made. This shall require a serial distribution box to be installed at each trench level.

5.11 The following rules shall apply to all ground absorption trench installations:

1. Seepage area - 900 square feet, minimum.
2. A minimum 4" inside diameter tile must be installed for every lineal foot of trench.
3. The trench tile shall be perforated or open joint tile. Where open joint tile is used, the tile sections shall be spaced not less than 1/4 inch nor more than 1/2 inch apart. Perforated piping (with the exception of 8 inch or 10 inch graveless ground absorption trench installations) shall have 1/2 - 3/4 inch diameter openings on three to five inch centers with a minimum two rows. Graveless ground absorption trench installations must meet the requirements of Section 905.60, of the Illinois Department of Public Health Private Sewage Disposal Licensing Act and Code.
4. A maximum length for any one trench will be 100 feet.
5. Individual trenches shall not be constructed closer than 10 feet on center.
6. The bottom of the subsurface seepage field, each trench and its distribution line shall be level. Level for this Part shall mean plus or minus 1/2 inch in any direction over the entire area of the subsurface seepage system.

7. The trench width shall be 36". Any width other than 36" must be approved by the Health Authority before installation takes place.

8. There shall be installed in each trench at least 8" of gravel or similar material below the tile and 2" above the tile. This gravel or similar material shall have sufficient voids and have a minimum diameter of 1 1/2".

9. The gravel or other similar material must be thoroughly covered before the back-filling with a six (6) inch layer of uncompacted straw or untreated building paper or other pervious and/or biodegradable material to support the backfill.

10. There shall be a minimum cover of backfill over the trenches of 6" and a maximum cover of 18". The bottom of the trenches shall not be more than 33" below finished grade.

11. All absorption trench systems shall be backfilled, weather permitting, within forty-eight (48) hours after approval has been issued by the Health Authority.

12. Any alternative methods for the construction ground absorption trench systems must be approved by the Illinois Department of Public Health and the Health Authority.

5.12 Location of the components of a sewage disposal system shall conform with minimum distances given in Table 3.

5.13 The following sewer types and construction shall be used:

1. All sewers from the house to the septic tank shall be four (4) inch diameter construction of cast iron with mechanical joints or Schedule 40 PVC with water tight joints whenever any portion of this sewer is within 50 feet of a water well. This sewer can be cast iron pipe, vitrified clay sewer pipe, or Schedule 40 PVC plastic pipe or its equivalent, provided there is no water well located within 50 feet of any portion of this sewer. The joints shall be root-proof and watertight.

2. Sewer pipes from the tank to the distribution boxes and from the distribution boxes to each individual soil absorption trench shall be four (4) inch diameter vitrified clay pipe, or Schedule 40 PVC plastic pipe or its equivalent. The joints shall be root-proof and water tight.

3. All solid pipes carrying domestic sewage by gravity flow shall have a nominal diameter of at least 4 inches and minimum slope of 12 inches per 100 feet. Solid header lines used for equal distribution shall be level.

4. Other materials may be approved by the Health Authority as they are developed, provided that sufficient operational and technical data is submitted so that the Health Authority is assured that the materials are suitable to provide an acceptable installation.

5.14 The installation of ground absorption trenches in ground that has been recently filled in excess of one (1) foot is prohibited

5.15 The excavation and refilling of lots in the area designated for the installation of a ground absorption trench system is not acceptable.

5.16 Sewers used under driveways or other areas subject to heavy loads shall be constructed of cast iron with mechanical joints or Schedule 40 PVC plastic pipe with water tight joints.

5.17 The construction of driveways, parking areas, garages, paved areas, swimming pools, or other building or structures of a permanent nature over any portion of the ground absorption trench system is prohibited.

5.18 Individual sewage treatment or disposal systems are designed for the sole purpose of treatment and disposing of sewage waste only. Under no circumstances shall liquids from the following facilities be discharged into any portion of the sewage system: down spouts, footing or foundation drains or other surface runoff.

5.19 Footing or foundation drainage must be discharged to the surface of the ground by gravity provided the contour of the ground is satisfactory for gravity flow. If the contour of the ground will not permit this type of drainage to flow by gravity to the surface of the ground, then it will be necessary to install a sump hole and electric sump to serve this drainage. This sump hole and sump pump cannot be the same sump hole and sump pump used for conveying of laundry waste, floor waste, shower waste, or any other sewage waste into the sewage system. This prohibits the use of so called butterfly valves for this purpose, and where two sump holes and pumps are necessary, they must be located a minimum of ten (10) feet apart unless one of the sump holes contains a properly constructed ejector pit.

5.20 Where sewage disposal systems consisting of ground absorption trenches are proposed for buildings consisting of more than one family dwelling, the following minimum requirements will apply:

1. An on site soil evaluation must be obtained by methods as prescribed in Appendix B.

2. The lot or lots involved must be of sufficient area to support a series of individual sewage systems or a combined sewage disposal system consisting of a minimum system for each dwelling unit.

3. In all cases, the decision regarding construction in this category shall be made by the Health Authority.

5.21 The construction of privies, chemical toilets, and outside toilets of any type to be used for the disposal of sewage is prohibited. The Health Authority may authorize the construction of a sanitary pit privy, vault privy, septic privy, chemical toilet, recirculating toilet, incinerator toilet and compost toilet in conformance with Section 905.130 of the Illinois Department of Public Health Private Sewage Disposal Licensing Act and Code to serve forest preserves, park districts, summer camps or cottages, and construction projects if they deem it advisable. In such cases, the summer camps or cottages must not be used as year-round dwellings and the construction projects will be for temporary periods only.

5.22 All existing unsanitary privies are prohibited and must be replaced with some approved means of sewage disposal as approved by the Will County Health Department.

5.23 Holding tanks are approved for private sewage disposal only under the following circumstances:

1. To serve a seasonal use, single family residence such as a cabin used only on weekends, short vacations, and other similar situations.

2. As a temporary measure while awaiting the extension of a sanitary sewer.

3. As a sanitary dumping station to receive the discharge from holding facilities on recreational vehicles.

4. The holding tank shall be designed and constructed as a septic tank except that the outlet shall be permanently sealed.

5. Holding tanks installed shall be converted to a conventional sewage disposal system if a sanitary sewer has not been extended to serve the property within one year of the original installation.

5.24 When considering proposals for experimental systems, the Health Authority shall not be restricted by the Ordinance provided that (1) the experimental system proposed is approved by the Illinois Department of Public Health and (2) the experimental system proposed is attempting to correct an existing environmental and/or health problem or (3) the experimental system proposed is for new construction where it has been determined that a disposal system meeting the requirements of this ordinance could be installed in the event of failure of the experiment.

5.25 The application for permit shall be in the name and bear the signature of the owner. The person proposing to use the experimental system shall be informed by the Health Authority of the nature of the experiment and his responsibility to maintain, correct or replace the system in the event of failure of the experimental system. A copy of this letter referenced to the permanent tax number and legal description of the parcel shall be filed at the County Recorder's Office. Plans for an experimental system shall be accompanied by a permit fee and submitted with documents containing all theories, applied research, etc., that support the request for approval. All fees are designated in Appendix A.

5.26 Where sewage disposal systems consisting of ground absorption trenches are proposed for non-residential establishments, the Health Authority will base the size of the system on the estimated quantity of sewage flow. The minimum sewage disposal system of a non-residential establishment shall consist of a 1,000 gallon septic tank and 900 square feet of horizontal trench area consisting of 300 lineal feet of 36 inch wide ground absorption trench system.

Table 4 shall be used to determine the minimum ground absorption trench system for non-residential establishments.

CHAPTER 6. INSPECTIONS

6.1 Before any portion of a sewage treatment or disposal system is covered and/or placed in operation, an inspection and approval must first be obtained from the Health Authority.

6.2 The Health Authority shall be allowed to inspect or investigate the installation of a sewage treatment or disposal system whenever it is deemed necessary. If in the opinion of the Health Authority, the construction should cease, due to violation of this ordinance, the Health Authority is authorized to order the construction to cease. The resuming of

construction shall not take place until written approval is received from the Health Authority.

6.3 It is the responsibility of the owner and/or installer to notify the Health Authority when the system is ready for a final inspection.

6.4 The Health Authority will provide partial inspections where deemed necessary.

Chapter 7. TRANSPORTING AND DISPOSING OF WASTE FROM SEWAGE TREATMENT OR DISPOSAL SYSTEMS

7.1 The collection, storage, transportation and disposal of all septage shall be handled in accordance with this Section and in accordance with 40CFR503 - Standards for the Use or Disposal of Sewage Sludge.

7.2 The name under which the business is conducted and the town of company origin and telephone number of the business shall be painted on each side of every pumper truck operated by the contractor. The company name shall be easily legible and the letters shall be at least eight inches high in contrasting colors.

7.3 Equipment shall be subject to inspection and approval by the Health Authority at any reasonable time, and upon request, shall be available for inspection at a designated location.

7.4 Each vehicle used for collection and transportation of waste shall be equipped with a leak proof and tightly sealed tank for septage hauling. The interior and exterior sections of all portable containers, pumps, hoses, tools, or other implements which have been contaminated shall be rinsed clean after each use and the rinsing shall be disposed of such that no health hazard or nuisance results. Trucks and tanks shall comply with the following:

1. The vehicle shall be equipped with either a vacuum pump or other type of pump which is self-priming and will not allow any seepage from the diaphragm or other packing glands.

2. The discharge nozzle shall be located so that there is no flow or drip onto any portion of the truck.

3. The drainage nozzle shall be capped when not in use.

7.5 Septage Disposal: Each licensed contractor engaged in septage disposal shall file with the Health Authority and each year amend a statement of the sites and methods of disposal of septage. These methods must comply with 40CFR503 - Standards for the Use or Disposal of Sewage Sludge.

SECTION 8. INDIVIDUAL MECHANICAL SEWAGE TREATMENT SYSTEM

8.1 Individual mechanical sewage treatment systems shall be approved by the Health Authority provided they meet the following specifications:

1. A trash tank is installed prior to the aeration tank.

2. An aeration chamber which has sufficient capacity to treat a minimum of 500 gallons per day of domestic sewage for a four bedroom home and an additional 150 gallons per day for each additional bedroom.

3. A final settling compartment with sludge return facilities of sufficient size to settle the effluent from the aeration chamber.

4. A subsurface sand filter having an area of at least 100 square feet per bedroom with a minimum of 300 square feet and having an effective sand depth of 24 inches. The filter sand shall have an effective size of .5 to 2.0 millimeters and a uniformity coefficient of not greater than 3.5. It shall be clean and free of clay and silt.

5. A chlorine contact chamber which will provide a holding time of at least 30 minutes based on two and one half times the average flow and an automatic chlorinator which will provide a chlorine residual of between .2 and 1.5 parts per million in the final effluent. Access to the chlorine contact chamber shall extend two inches above the ground surface.

8.2 A clearly labeled warning light or buzzer must be provided that warns the owner of the failure of any electrical or mechanical component of the system.

8.3 The owner is required to obtain and maintain a service contract to be in effect at all times with copies being supplied to the Health Authority to assure that proper service and maintenance of the mechanical system shall be on a continuing basis. Renewal of the service contract is mandatory or the replacement with another service contract. All renewal notices or certificates and termination notices must be supplied to the Health Authority. The service contract for maintenance must include at least the following items:

a. Routine inspection of the unit with sampling tests at least every six (6) months.

b. Provisions for emergency services within 24 hours of notification that the mechanical unit is not properly functioning.

c. The test conducted on the effluent discharged from these units to the stream must at least be sufficient to determine the unit's compliance with the requirements of sub-paragraph 6 above. All tests shall be performed by a laboratory using the current edition of Standard Methods for the Examination of Water and Waste Water, and copies of all results shall be submitted to the Health Authority.

8.4 No person shall discharge effluent from an Individual Mechanical Sewage Treatment System without a valid Permit to Discharge. The owner is required to obtain an annual Permit to Discharge any Individual Mechanical Sewage Treatment System with a final effluent. The permit application must be accompanied by an annual fee as delineated in Appendix A, payable to the Will County Health Fund and must be received prior to January 15 of each year.

8.5 Buried sand filters and aerobic treatment plants listed by NSF for Class I effluent shall be discharged to one of the following:

A. A receiving stream, lake or pond which provided greater than a five (5) to one (1) dilution of the effluent. A discharge within ten (10) feet of the above shall be considered to be a discharge to the receiving body of water. Discharges to a lake or pond

shall be limited to two (2) discharges per surface acre of water. More than two (2) discharges may occur per individual surface acre of water, however, the total number of discharges to total surface acres of water shall not exceed a ratio of two (2) to one (1). An example of this is as follows: In a 20 acre lake, several discharges may enter the lake in a 1/2 acre cove, however, the total discharges entering the lake would be limited to 40. Where discharges are not equally distributed around a lake or pond, the Health Authority shall be consulted to assure that nuisance conditions are not created.

B. A common drain provided that the drain does not discharge within one mile upstream from a public water supply intake, public bathing beach, or to any public use area. A public use area is any area which is frequently used by the public. Examples of a public use area are playgrounds and picnic areas. A common drain is defined as an underground enclosed conduit designed to carry liquids. Examples of common drains are storm tiles, field tiles, or village tiles. Examples of what is not a common drain are road ditches, curb and gutter, grassed waterways, concrete or other lined drainage ways. Common drains used to carry treated effluent for two (2) or three (3) discharging systems with a design flow of less than 1,500 gallons per day shall discharge in accordance with Chapter 8.5, Paragraphs A and C.

1.) Whenever more than three (3) sand filters, or aerobic treatment plants, or a combined design flow greater than 1,500 gallons per day discharge to a common drain, all of the following shall be met:

a. A construction permit shall be obtained in accordance with (35 IL Adm. Code) Section 309.202(a) and (b) and a National Pollutant Discharge Elimination System (NPDES) Permit issued by the Illinois Environmental Protection Agency. (35 IL Adm. Code 300)

b. The property owner on which the private sewage disposal system is located shall have written authorization to connect to the common drain. Authorization shall be obtained in writing from the person or entity holding the construction permit and National Pollutant Discharge Elimination System (NPDES) Permit for that common drain.

c. The property owner shall provide written proof to the Health Authority that a construction permit and a National Pollutant Discharge Elimination System (NPDES) Permit have been obtained and written authorization to connect to the common drain has been obtained.

d. The effluent from the private sewage disposal system discharging into the common drain shall comply with the requirements of the National Pollutant Discharge Elimination System (NPDES)

Permit.

C. To the ground surface where the discharge points of sewage disposal systems with surface discharges are maintained at 235 feet apart and the effluent does not pond or create a public nuisance.

8.6 If the final discharge location of the effluent from a buried sand filter or aerobic treatment plant listed as a Class I by NSF, or any system that discharges will discharge according to Chapter 8.5, Paragraph C and leave the property, then an effluent receiving trench or bed shall be installed prior to discharge. Effluent receiving trenches or beds shall be designed in accordance with Section 5.11 (1) through (11) except for the following criteria:

A. The effluent receiving trench shall be designed at three (3) gallons per square foot of trench bottom area based on the daily design flow of the system. An example of this is as follows: A three-bedroom home equals 600 gallons per day, 600 gallons per day divided by three (3) gallons per square foot per day equals 200 square feet of effluent receiving trench. (600 gpd. divided by three gallons/sq. ft./day = 200 square feet).

B. Effluent receiving trenches or beds shall not be greater than 36 inches below the ground surface and shall have a maximum earth cover of six (6) inches.

C. They shall be designed so the entire trench or bed is completely filled with effluent prior to the discharge and the invert of the overflow line is at least one inch below the invert of the outlet of the aerobic treatment plant or sand filter unless the effluent is pumped.

8.7 The effluent from discharging systems must meet the following requirements:

A. The five-day biochemical oxygen demand shall not exceed 20 milligrams per liter.

B. The suspended solids concentration shall not exceed 20 milligrams per liter.

C. No effluent shall be discharged which contains more than 400 fecal coliform organisms per 100 milliliters of effluent.

SECTION 9. ENFORCEMENT

9.1 It shall be unlawful for any person to place, deposit or permit to be deposited human excrement or raw and or improperly treated sewage upon the surface of public or private property located within Will County, Illinois, or to farm tiles, streams, rivers, ponds, lakes, or other collectors of water. Improperly treated sewage is sewage that does not meet the effluent requirements of Chapter 8.7 or sewage which comes directly from a septic tank or building sewer. Domestic sewage or effluent from any sewage

treatment or disposal system or component shall not be discharged into any well or into any underground mine, cave, or tunnel.

9.2 Should any defect exist or occur in any sewage treatment or disposal system which would cause said sewage system to fail to meet the requirements of this ordinance and cause a nuisance or public health hazardous condition, the defect shall be corrected immediately by the owner or agent of the owner, occupant or agent of the occupant.

9.3 If in the opinion of the Health Authority, the conditions involved are serious enough, they may order the buildings to be vacated and to remain vacated until the defect has been eliminated and the public health nuisance and hazardous condition abated to his satisfaction.

9.4 Whenever an approved combined or sanitary sewer which can be legally connected to becomes available within 300 feet for a single family residence and not greater than 1,000 feet for a commercial establishment served by a sewage treatment or disposal system, which in the opinion of the Will County Health Department is causing a public health nuisance and/or a possible public health hazardous condition, a direct connection shall be made to the approved sewer by the owner of the property involved. This connection to the approved sewer must by-pass all portions of the existing sewage treatment or disposal system and all portions of this system shall be abandoned and completely pumped. The floors and walls shall be cracked or crumbled so the tank will not hold water and the tank shall be filled with sand or soil.

CHAPTER 10. BEDROCK AND GROUND WATER REQUIREMENTS

10.1 Absorption trench systems shall not be installed where there is less than 30 feet of cover above the limestone formations unless the following conditions are met:

A. There exists a minimum of 5 feet of soil between the bottom of the absorption trench system and the limestone formation and that soil will provide a minimum of 20 years travel time prior to the effluent reaching the limestone formation. This must be demonstrated by sufficient engineering data and it is the responsibility of the owner or subdivider to furnish this information. All calculations of travel time shall be made assuming the maximum possible hydraulic gradient.

B. The above requirement also applies to subdividing lots which have less than 30 feet of earth cover above limestone in which case it is the responsibility of the subdivider to provide sufficient information to either show the existence of 30 feet of cover above limestone or that the ground conditions will provide the protection of the water-bearing formations as specified above.

10.2 No absorption trench systems shall be installed in areas where the permanent ground water table is less than 4 feet below the bottom of the trench system. This depth of water table may be required to be confirmed by soil boring tests where indicated.

CHAPTER 11. CONTRACTOR'S LICENSE AND EXAMINATION

11.1 No person shall engage or offer to engage in or carry on the business of installing private sewage disposal systems or any components of private sewage disposal systems, including but not limited to; septic tanks, ground absorption trench systems, and/or individual mechanical sewage treatment systems within the County of Will unless they have obtained a valid Will County Sewage Treatment or Disposal System Installation Contractor's License.

11.2 An annual installation contractor's license fee designated in Appendix A shall be required for all Sewage Treatment or Disposal Systems Installation Contractors wishing to operate within the County of Will. This fee shall not be returnable.

11.3 The Health Authority shall issue a license to persons applying who comply with following items:

A. Obtained a valid Installation Contractor's License issued by the State of Illinois.

B. Successfully passed the Will County Health Department Installation Contractor's Examination.

C. Paid the required annual license fee to the Will County Health Fund.

11.4 Any person installing a septic tank, Ground Absorption Trench System, and/or Individual Mechanical Sewage Treatment System on their own property, for their own use, must successfully pass an examination. An examination fee designated in Appendix A must be submitted prior to the issuance of the examination. This fee shall not be returnable.

11.5 No person shall engage or offer to engage in or carry on the business of cleaning or pumping, hauling or disposing of waste from a sewage treatment or disposal system within the County of Will unless they have obtained a valid Will County Sewage Treatment or Disposal System Pumping Contractor's License.

11.6 An annual pumping contractor's license fee designated in Appendix A shall be required for all sewage treatment or disposal systems pumping contractors wishing to operate within the County of Will. This fee shall not be returnable.

11.7 The Health Authority shall issue a license to persons applying who comply with the following items:

A. Obtained a valid Pumping Contractor's License issued by the State of Illinois.

B. Successfully passed the Will County Health Department Pumping Contractor's Examination.

C. Paid the required annual license fee to the Will County Health Fund.

11.8 All licenses shall expire on December 31 of the year they are issued.

11.9 Each person who desires to apply for admittance to the examination for a Sewage Treatment or Disposal System Installation Contractor's License or a Private Sewage Treatment or Disposal System Pumping Contractor's License, shall file an application for examination on forms provided by the Health Authority.

11.10 Examination dates and locations shall be established by the Health Authority. A completed application, a photograph of the applicant, and a fee designated in Appendix A must be filed with the Health Authority at least thirty (30) days prior to the examination date. This fee shall not be returnable.

11.11 The examination requirements and results are as follows:

A. Installation License Examination. The examination for a Sewage Treatment and Disposal System Installer Contractor license shall test the applicant's knowledge of the design, installation, operation, maintenance, repairing and servicing of sewage treatment and disposal systems.

B. Pumping Licensing Examination. The examination for a Sewage Treatment and Disposal System Pumping Contractor license shall test the applicant's knowledge of the pumping, hauling, and disposal of wastes removed from sewage treatment or disposal systems.

C. Individuals desiring both the installation contractor license and pumping contractor license must pass the examination for each license.

D. Passing Grade. The examination shall consist of questions with a combined grade value of 100 points. In order to successfully pass the examination, a grade of not less than 75 must be obtained.

E. Failure to Pass. Any person who fails to pass the examination shall be admitted to a subsequent scheduled examination after filing a new application and fee with the Health Authority in accordance with Chapter 11, of this Ordinance.

CHAPTER 12. PENALTY

12.1 Every person, firm, corporation, association, or organization who violates any provision of this Ordinance shall be guilty of a Class B Misdemeanor and each day the violation continues shall constitute a separate offense.

12.2 Each day's violation constitutes a separate offense. The State's Attorney of Will County shall bring such actions in the name of the People of the State of Illinois or may bring action for an injunction to restrain such violation or enjoin the operation of any such establishment causing such violation. All moneys collected from fines under this Ordinance shall be deposited to the Will County Health Department Fund.

CHAPTER 13. EMERGENCIES

13.1 Whenever the Health Authority finds that an emergency exists which requires immediate action to protect the public health, it may, without any administrative procedure and without notice, hearing, or bond, bring action for a temporary injunction to require that such action be taken as the court may deem necessary to meet the emergency. Notwithstanding any other provision in this ordinance such order shall be effective immediately. Such action shall be brought by the State's Attorney of Will County. When the emergency conditions are abated, in the opinion of the Health

Authority, the Health Authority may request that the temporary injunction be canceled.

CHAPTER 14. HEARINGS AND VARIANCES

14.1 Hearings before the health authority: Any person affected by any order or notice issued by the Health Department in connection with any Section of this Ordinance, may file in the office of the Health Department a written request for a hearing before the Health Authority. The Health Authority shall hold a hearing at a time and place designated within thirty (30) days from the date on which the written request was filed. The petitioner for the hearing shall be notified of the time and place of the hearing not less than five (5) days prior to the date on which the hearing is to be held. If as a result of the hearing, the Health Authority finds that strict compliance with the order, or notice, would cause undue hardship on the petitioner, and that the public health would be adequately protected and substantial justice done by varying or withdrawing the order or notice, the Health Authority may modify or withdraw the order or notice and as a condition for such action may, where deemed necessary, make requirements which are additional to those prescribed in this Ordinance for the purpose of properly protecting the public health. The Health Authority shall render a decision within ten (10) days after the date of the hearing which shall be reduced to writing and placed in the file in the office of the Health Department as a matter of public record. Any person aggrieved by the decision of the Health Authority may seek relief there from through a hearing before the Health Director.

14.2 There shall be a fee for each variance request. The fee is to be submitted with the written variance request and shall be made payable to the Will County Health Fund. This fee shall not be returnable.

14.3 Hearings before the health director: Any person aggrieved by the decision of the Health Authority rendered as the result of a hearing held in accordance with this Section may file in the office of the Health Department a written request for a hearing at a time and place designated by the Health Director within thirty (30) days of the date on which the written request was filed. The petitioner for the hearing shall be notified of the time and place of the hearing not less than five (5) days prior to the date on which the hearing is to be held. If, as a result of facts elicited as a result of the hearing, the Health Director finds that strict compliance with the decision of the Health Authority would cause undue hardship on the petitioner, and that the public health would be adequately protected and substantial justice done by granting a variance, the Health Director may grant a variance and as a condition for such variance, may, where it deems necessary, make requirements which are additional to those prescribed by this Ordinance, all for the purpose of properly protecting the public health. The Health Director shall render a decision within ten (10) days after the date of the hearing which shall be reduced to writing and placed on file in the office of the Health Department and a copy thereof shall be served on the petitioner personally or by delivery to the petitioner by certified mail.

CHAPTER 15. DATE OF EFFECT

15.1 All sections of this ordinance shall be in full force and effect immediately after its passage as provided by law.

CHAPTER 16. UNITS OF LOCAL GOVERNMENT

16.1 The fees set forth in this Ordinance shall not apply to units of local government.

CHAPTER 17. UNCONSTITUTIONAL CLAUSE

17.1 Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of said Ordinance shall remain in full force and effect.

Adopted and approved on August 5, 1963, and amended on June 14, 1976, on April 25, 1979, on July 16, 1987, on September 25, 1992, and on October 17, 1996 and on April 18, 2002.

Dated this _____1st_____ day of _____August_____, 2005

County Executive

ATTEST:

County Clerk