

CITY OF MONTICELLO  
PIATT COUNTY, ILLINOIS

---

ORDINANCE NO. 2023-08

“AN ORDINANCE AMENDING CHAPTER 53 OF TITLE V  
OF THE MUNICIPAL CODE OF THE CITY OF MONTICELLO”

---

ADOPTED BY THE  
CITY COUNCIL  
CITY OF MONTICELLO  
THIS 13<sup>th</sup> DAY OF FEBRUARY, 2023

---

Published in pamphlet form by authority of the City Council of the City of Monticello, Piatt County, Illinois, this 14<sup>th</sup> day of February, 2023.

**CITY OF MONTICELLO  
PIATT COUNTY, ILLINOIS**

**ORDINANCE NO. 2023-08**

**“AN ORDINANCE AMENDING CHAPTER 53 OF TITLE V  
OF THE MUNICIPAL CODE OF THE CITY OF MONTICELLO”**

WHEREAS, the City of Monticello, State of Illinois, has the power to govern its own affairs and has adopted, in its Code of Ordinances, rules for conducting its business; and

WHEREAS, the City Council has determined that an increase in user fees is necessary to pay the cost of constructing, operating and maintaining the Improvements;

WHEREAS, it is the intention of the City Council that the increased user fees be dedicated to paying the costs related to and arising out of the Improvements;

WHEREAS, the City is also aware that its citizens use water supplied by the City water system for irrigation, swimming pools and other purposes that do not result in the drainage of that water to the wastewater system of the City, and

WHEREAS, the City desires to make provision in its billing practices for the wastewater facilities for the usage of water that does not flow to the wastewater system.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MONTICELLO, AS FOLLOWS:**

Section 1. RECITALS. The foregoing recitals are incorporated as though fully set forth herein.

Section 2. CHAPTER AMENDED. Chapter 53 of Title V of the City of Monticello Code of Ordinances, titled “Sewer Regulations,” is hereby amended as follows (additions in **bold and underline**, deletions in ~~bold and strikeout~~):

*General Provisions*

53.003 Office of City Administrator Superintendent

*Dangerous Discharges*

53.030 Action of City Administrator Superintendent

*User Charge System*

53.056 User Charge Reserved

**§ 53.001 DEFINITIONS.**

***BUILDING INSPECTOR.*** The City of Monticello Building Inspector, authorized agent of the City Administrator Superintendent of City Services of the City of Monticello.

***CITY ADMINISTRATOR SUPERINTENDENT.*** The City Administrator Superintendent of City Services of the City of Monticello or his or her authorized deputy, agent, or representative.

**§ 53.003 OFFICE OF CITY ADMINISTRATOR OFFICE OF SUPERINTENDENT.**

The City Administrator Superintendent of City Services shall have general supervision of all public and private sanitary sewers and sewage treatment plant of the city. He or she shall ascertain the conditions and needs thereof and shall, from time to time, report the same to the City Council. The City Administrator Superintendent shall keep proper records of the location of all sanitary sewers, branches, and service sewer connections, and the condition of private sewage disposal systems and service sewers. He or she shall also have the duties specifically set forth in this chapter and may have authority to supervise the construction of private sewage disposal systems and the construction and installation of service sewers and to issue permits thereof. The City Administrator Superintendent shall be responsible for the enforcement of the provisions of this chapter and he or she is hereby authorized to make inspections, observations, measurements, samplings, and tests as may be necessary in that regard, and is authorized to enter upon any property, at all reasonable times, for that purpose.

### **§ 53.016 PRIVATE SEWAGE DISPOSAL.**

(B) Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the **City Administrator Superintendent**. The application for this permit shall be made on a form furnished by the city, which the applicant shall supplement by any plans, specifications, and other information as deemed necessary by the **City Administrator Superintendent**. A permit and inspection fee of \$150 shall be paid to the city at the time the application is filed.

(C) A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the **City Administrator Superintendent**. He or she shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the **City Administrator Superintendent** when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 72 hours of the receipt of written notice by the **City Administrator Superintendent**.

### **§ 53.017 BUILDING SEWERS AND CONNECTIONS.**

(A) 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 written permit from the **City Administrator Superintendent of City Services**.

(C) There shall be 2 classes of building sewer permits: for residential wastewater service; and for commercial, institutional/governmental, or industrial wastewater service. In either case, the owner or his or her agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the **City Administrator Superintendent of City Services**. A permit and inspection fee of ~~\$1,000~~ **\$750** for a residential or commercial building sewer permit shall be paid to the city at the time the application is filed. The industry, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics, and type of activity.

(G) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the **City Administrator Superintendent of City Services**, to meet all requirements of this chapter.

(K) (2) The connection of the building sewer into the public sewer shall conform to the requirements of the Building and Plumbing Codes, or other applicable rules and regulations of the city, or the procedures set forth in appropriate specifications of the American Society of Testing Materials, *Water Pollution Control Federation Manual of Practice No. 9*, and *Standard Specifications for Water and Sewer Main Construction in Illinois*. All these connections shall be made gastight and watertight. Any deviation from

the prescribed procedures and materials must be approved by the **City Administrator Superintendent of City Services** before installation.

(L) The applicant for the building sewer permit shall notify the **City Administrator Superintendent** when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the **City Administrator Superintendent** or his or her representative. No backfill shall be placed until the work has been inspected.

### **§ 53.019 PROHIBITED DISCHARGES.**

(B) No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the **City Administrator Superintendent** that the wastes can harm either the sewers, sewage treatment process, or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his or her opinion as to the acceptability of these wastes, the **City Administrator Superintendent** will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and maximum limits established by regulatory agencies. The substances prohibited are:

(3) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of 3/4 horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the **City Administrator Superintendent**;

(5) Any waters or wastes containing iron, chromium, copper, zinc, or similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to the degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the **City Administrator Superintendent** for those materials;

(6) Any waters or wastes containing phenols or other taste- or odor-producing substances, in concentrations exceeding limits which may be established by the **City Administrator Superintendent** as necessary after treatment of the composite sewage, to meet the requirements of the state, federal, or other public agencies of jurisdiction for the discharge to the receiving waters;

(7) Any radioactive wastes or isotopes of a half-life or concentration as may exceed limits established by the **City Administrator Superintendent** in compliance with applicable state or federal regulations;

(9) Any mercury or any of its compounds in excess of 0.0005 mg/l as Hg at any time except as permitted by the **City Administrator Superintendent** in compliance with applicable state and federal regulations;

(10) Any cyanide in excess of 0.025 mg/l at any time except as permitted by the **City Administrator Superintendent** in compliance with applicable state and federal regulations;

### **§ 53.030 ACTION OF CITY ADMINISTRATOR SUPERINTENDENT.**

(A) If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in § 53.019(B), and/or which are in violation of the standards for pretreatment provided in 40 C.F.R. § 403, June 26, 1978 and any amendments thereto, and which in the judgment of the **City Administrator Superintendent** may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the **City Administrator Superintendent** may:

(B) If the **City Administrator Superintendent** permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the **City Administrator Superintendent**, and subject to the requirements of all applicable codes, ordinances, and laws.

### **§ 53.031 GREASE, OIL, AND SAND INTERCEPTORS.**

(A) Grease, oil, and sand interceptors shall be provided when, in the opinion of the **City Administrator Superintendent**, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that these interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the **City Administrator Superintendent**, and shall be located as to be readily and easily accessible for cleaning and inspection.

### **§ 53.033 MANHOLES.**

Each industry shall be required to install a control manhole and, when required by the **City Administrator Superintendent**, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with the necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. This manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the **City Administrator Superintendent**. The manhole shall be installed by the owner at his or her expense, and shall be maintained by him or her so as to be safe and accessible at all times.

### **§ 53.037 POWERS AND AUTHORITY OF INSPECTORS.**

(A) (1) The **City Administrator Superintendent** and other duly authorized employees of the City Environmental Protection Agency, the Illinois Environmental Protection Agency, and the U.S. Environmental Protection Agency, bearing proper credentials and identification, shall be permitted to enter all properties, at all reasonable times, for the purposes of inspection, observation, measurement, sampling, and testing as may be required in pursuance of the implementation and enforcement of the terms and provisions of this chapter.

(2) The **City Administrator Superintendent** or his or her representative shall have no authority to inquire into any processes, including metallurgical, chemical, oil refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterway or facilities for waste treatment.

(B) While performing the necessary work on private properties referred to in division (A) above, the **City Administrator Superintendent** or duly authorized employees of the city, the Illinois Environmental Protection Agency, and the U.S. Environmental Protection Agency shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the city employees and the city shall indemnify the company against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operations, except as such may be caused by negligence or failure of the company to maintain conditions as required by this chapter.

(C) The **City Administrator Superintendent** and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purposes of but not limited to inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within the easement. All entry and subsequent work, if any, on the easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

#### **§ 53.051 WASTEWATER USER FEE.**

(A) A wastewater user fee is hereby imposed on all metered potable water supplied by the city in accordance with the following schedule:

Effective Date	Rate Per Unit
January 1, 2016	\$3.50
January 1, 2017	\$4.50
January 1, 2018	\$5.50
January 1, 2019	\$6.50
January 1, 2020	\$7.50
January 1, 2021	\$8.50
January 1, 2023	\$9.50
January 1, 2023	<b>\$10.0050</b>

January 1, 2024 \$140.5050

January 1, 2025 \$11.0050

#### **§ 53.080 BILLING CLARIFICATIONS.**

Any user of the wastewater facilities of the city with a question concerning a bill received for services may seek additional information for clarification from the Utility Billing Clerk ~~Water Billing Secretary~~. The method for computation of rates and service charges established by this chapter shall be made available to a user within 10 days of receipt of a written request for such.

#### **§ 53.081 DISAGREEMENTS.**

After clarification from the Utility Billing Clerk ~~Secretary~~, any user that is in disagreement with a bill or any item or information on a bill has the same recourse as described in § 51.47(A)(3).

#### **§ 53.095 ANNUAL BILLABLE FLOW SUMMARY.**

The Utility Billing Clerk ~~Water Billing Secretary~~ shall annually cause to be prepared a summary of annual billable flow of all users of the wastewater facilities of the city according to the following 4 user groups: residential; commercial; institutional/governmental; and industrial.

#### **§ 53.101 BILLS.**

(B) Bills rendered by the city for use of the wastewater facilities of the city shall show thereon the name of the user, the address or parcel number sufficient to describe the property for which charges are rendered, the basis upon which the charges are made, the amount due, when and where payable, the period for which the charge is made, a brief description of any special charges incurred, and any additional information deemed necessary by the Utility Billing Clerk ~~Water Billing Secretary~~ for the city's purposes. If a delinquency exists, the amount of penalty charged shall also be shown.

(C) Bills for sewer service shall be sent out by the Utility Billing Clerk ~~Water Billing Secretary~~ within 7 days of the end of the period which the service is billed. All sewer bills are due and payable within 15 days of the date of billing.

#### **§ 53.103 LIEN; NOTICE OF DELINQUENCY.**

(A) Whenever a bill for sewer service remains unpaid more than 60 days beyond the due date, the Utility Billing Clerk ~~Water Billing Secretary~~ shall file with the County



Recorder of Deeds a statement of lien claim. This statement shall contain the legal description of the premises served, the amount of unpaid bill and a notice that the city claims a lien for this amount as well as for all charges and costs incurred by the city subsequent to the period covered by the bill, including all costs associated with filing the lien. If the user whose bill is unpaid is not the owner of the premises and the **Utility Billing Clerk** ~~Water Billing Secretary~~ has notice of this, notice shall be mailed to the owner of the premises if his or her address is known to the **Utility Billing Clerk** ~~Water Billing Secretary~~ whenever the bill remains unpaid more than 60 days beyond the due date. The failure of the **Utility Billing Clerk** ~~Water Billing Secretary~~ to record the lien or to mail the notice, or the failure of the owner to receive the notice, shall not affect the right to foreclose the lien for unpaid bills.

(B) If the **Utility Billing Clerk** ~~Water Billing Secretary~~ shall have filed a statement of lien claim with the County Recorder of Deeds, then before the city will execute and file a release of the lien claim with the County Recorder of Deeds, there shall be paid to the **Utility Billing Clerk** ~~Water Billing Secretary~~ all outstanding amounts due to the city, including the late charge, interest, costs of discontinuance and reinstatement of service, and all other charges to cover the city's expenses in filing notice and in recording and releasing the lien claim.

#### **§ 53.056 USER CHARGE RESERVED.**

All users shall be assessed a separate charge for the operation, maintenance, repair, and replacement of the wastewater facilities. For the usage of January, February, March, April, May, October, November and December, the City shall bill the user for wastewater services based on actual usage of the facilities measured by the actual amount of water used from the City water supply (proportionate share of flow to the facilities) and the relative strength of the wastewater discharged to the facilities. The user charge shall be computed by multiplying the user rate by a user's monthly billable flow. The user rate shall be in units of cost per 100 cubic feet of billable flow. For the usage of June, July, August and September, the City shall bill the user for wastewater services using the amount equal to the average monthly wastewater bill for that user for the preceding 8 months (i.e., total wastewater usage for October, November, December, January, February, March, April and May (said charges being actually billed, respectively, in November, December, January, February, March, April, May and June) divided by 8).

#### **§ 53.079 NEW ACCOUNTS.**

(B) For the purpose of the city charging residential users a wastewater fee during the four months of **usage for** June, July, August and September, new residential users who do not have an eight-month ~~8-month~~-billable flow average established from the previous eight ~~8-months~~ as set forth in §53.056, and who are connected to the

wastewater facilities of the city, shall be assigned a fixed quantity of 6 units (600 cubic feet). »

3. **Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

4. **Repealer.** All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

5. **Effective Date.** That this Ordinance shall be effective forthwith upon its passage and its approval, and a copy hereof shall be published in pamphlet form by the City Clerk.

Passed by the City Council of the City of Monticello, Piatt County, this 13<sup>th</sup> day of February, 2023, by the following roll-call vote:

AYES:

NAYS:

ABSENT:

---

Jill Potts, City Clerk  
City of Monticello, Piatt County, Illinois

Approved by the Mayor of the City of Monticello this 13<sup>th</sup> day of February, 2023.

---

Larry Stoner, Mayor

ATTEST:

---

Jill Potts, City Clerk  
City of Monticello, Piatt County, Illinois

CERTIFICATE OF PUBLICATION

I, Jill Potts, City Clerk of the City of Monticello, Piatt County, Illinois, do hereby certify that the foregoing and attached AN ORDINANCE AMENDING CHAPTER 53 OF TITLE V OF THE MUNICIPAL CODE OF THE CITY OF MONTICELLO is a true and correct copy of said Ordinance duly adopted and enacted by the City Council of Monticello, Illinois, at its regular meeting on the 13<sup>th</sup> day of February, 2023, by the following roll-call vote: ayes: \_\_\_\_; nays: \_\_\_\_; absent: \_\_\_\_; and that the same was published by publication in pamphlet form on the 14<sup>th</sup> day of February, 2023.

---

Jill Potts, City Clerk  
City of Monticello, Piatt County, Illinois