Agenda Item # 35

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DISTRIBUTION
County Board
County Clerk
County Administrator
Health Department
√Public Works
State's Attorney

STATE OF ILLINOIS)
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COUNTY OF LAKE)

COUNTY BOARD, LAKE COUNTY, ILLINOIS

ADJOURNED REGULAR, SEPTEMBER A.D., 1987 SESSION

FEBRUARY 9 A.D., 1988

MR. CHAIRMAN AND MEMBERS OF THE COUNTY BOARD:

Your Public Service and Financial and Administrative Committees present herewith an Ordinance, providing for the adoption of a revised General Sewer Use Ordinance; and requests its adoption.

Respectfully submitted,

Tony Serdar
CHAIRMAN

Donald Strongke
VICE-CHAIRMAN

[illegible]

Mike Yaka

Fred Popp

Gerald L. Bryan
PUBLIC SERVICE COMMITTEE

James E. Dolan
CHAIRMAN

[illegible]
VICE-CHAIRMAN

Norman Geary

[illegible] Amendola

Audrey Nixon

Deloris S. Apelrod

Charlotte Kiesgen

FINANCIAL AND ADMINISTRATIVE COMMITTEE

Certified to be a true copy of
Records of the Lake Cou
Board Meeting o

FEB 9 1988 APPROVED

Certification n... al
of Lake Co... d.

Linda [illegible]
County Clerk

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWERAGE SYSTEM (S) OF THE COUNTY OF LAKE IN THE STATE OF ILLINOIS.

BE IT ORDAINED AND ENACTED BY THE COUNTY BOARD OF LAKE COUNTY, STATE OF ILLINOIS AS FOLLOWS:

SECTION I DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

(1) "County" - The County of Lake, a political subdivision of the State of Illinois.

(2) "Superintendent" - The Superintendent of the Department of Public Works or his duly authorized deputy or representative.

(3) "Ordinance" - Means this ordinance.

(4) "Federal Act" - The Federal Water Pollution Control Act (33 U.S.C. 1251 et seq) as amended by the Federal Water Pollution Control Act of Amendments of 1972 (Public Law 92-500 and Public Law 93-243) and the Clean Water Act of 1977 (Public Law 95-217).

(5) "State Act" - The Illinois Environmental Protection Act effective July 1, 1970 (Illinois Revised Statutes, Chapter 111 1/2, Section 1001-1051).

(6) "Person" - Any and all persons, natural or artificial including any individual, firm, company, public or private corporation, association, society, institution, enterprise, governmental agency or other entity.

(7) "Shall" - Means mandatory; "May" - Means permissive.

(8) "BOD" - Biochemical oxygen demand which is defined as the quantity of oxygen used in the biochemical oxidation of organic matter in five (5) days at 20 degrees C., determined by standard laboratory test procedures and expressed in mg/l.

(9) "Building Drain" - The part of the lowest piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of a building and conveys it to the building sewer or other approved point of discharge, beginning five (5) feet (1.4 meters) outside the inner face of the building wall.

(10) "Building Sewer" - The extension from the building drain to the public sewer or other place of disposal.

(11) "Control Manhole" - A structure specifically designed and constructed for sampling and metering industrial wastes discharged to a public sewer.

(12) "Easement" - An acquired legal right for the specific use of land owned by others.

(13) "Garbage" - Solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.

(14) "Properly Shredded Garbage" - Garbage that has 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 (1.27 centimeters) in any dimension.

(15) "Industrial User"

(a) For the purpose of industrial cost recovery, any nongovernmental, nonresidential user of publicly owned sewerage works which discharges more than the equivalent of 25,000 gallons per day (gpd) of sanitary wastes and which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under one of the following divisions:

Division A - Agriculture, Forestry, and Fishing

Division B - Mining

Division D - Manufacturing

Division E - Transportation, Communications, Electric, Gas and Sanitary Services

Division I - Services

In determining the amount of a user's discharge for purposes of industrial cost recovery, the County will exclude domestic wastes or discharges from sanitary conveniences. After applying the sanitary waste exclusion of this paragraph, discharges in the above divisions that have a volume exceeding 25,000 gpd or the weight of BOD or suspended solids equivalent to that weight found in 25,000 gpd of sanitary waste are considered industrial users. Sanitary wastes, for purposes of this calculation of equivalency, are wastes containing 0.17 pounds of BOD and 0.20 pounds of suspended solids per 100 gallons of wastewater per day.

(b) Any nongovernmental user of a publicly owned treatment works which discharges wastewater to the treatment works which contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity either singly or by interaction with other wastes, to contaminate the sludge of any municipal systems, or to injure or to interfere with any sewage treatment process, or which constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has an adverse effect on the waters receiving any discharge from the treatment works.

(c) For the purpose of user charges, industrial users shall include manufacturing activities involving the mechanical or chemical transformation of materials or substances into other products. These activities occur in establishments usually described as plants, factories, or mills, and characteristically use power driven machines and material handling equipment.

(16) "Industrial Waste" - The wastewater discharged, permitted to flow, or escaping from any industrial, manufacturing, commercial or business establishment or process, or from the development, recovery of processing of any natural recovery of processing of any natural resource as distinct from employees' waste or wastewater from sanitary conveniences.

(17) "Major Contributing Industry" - An industrial user that has a flow of 50,000 gallons or more per average work day, or has a flow greater than ten percent of the flow carried by the sewerage works receiving the waste, or has in its waste, a toxic pollutant in toxic amounts as defined in standards issued under Section 307 (a) of Federal Act, or is found by the permit

issuance authority, in connection with the issuance of the NPDES permit to the publicly owned treatment works receiving the waste, to have significant impact, either singly or a combination with other contributing industries, on that treatment works or upon the quality of effluent from that treatment works.

(18) "mg/l" - Means milligrams per liter.

(19) "Natural Outlet" - Any outlet into a watercourse, pond, ditch, lake or other body of surface water.

(20) "NPDES Permit" - Means any permit or equivalent document to regulate the discharge of pollutants pursuant to Section 402 of the Federal Act.

(21) "pH" - The logarithm (base 10) of the reciprocal of the hydrogen-ion concentration expressed in gram molecular weight (moles) per liter.

(22) "Phosphorus" - The total concentration of orthophosphate, polyphosphates and organic phosphorus compounds in wastewater, the quantity of which is determined by standard laboratory test procedures and expressed in mg/l of elemental phosphorus.

(23) "Population Equivalent" - A term used to evaluate the impact of industrial or other wastes on a treatment works or stream. One population equivalent is 100 gallons of sewage per day, containing 0.17 pounds of BOD and 0.20 pounds of suspended solids.

(24) "Pretreatment" - The treatment of wastewaters from sources before discharge into the public sewer.

(25) "Public Sewer" - A sewer in which all owners of abutting properties have equal rights of connection and use, and

is operated, maintained and controlled by the County or other public agencies.

(26) "Residential, Commercial, or Non-industrial User" - Any user of the sewerage works not classified as an industrial user or excluded as an industrial user.

(27) "Residential Customer Equivalent" - A term used as a basis of billing for sewage collection and treatment service which is equivalent to a single-family residential user with an average sewage load of 2 1/2 times that of a "Population Equivalent".

(28) "Sanitary Sewer" - A sewer that conveys sewage and polluted industrial wastes, and to which stormwater, surface drainage, groundwater or unpolluted wastewater are not intentionally admitted.

(29) "Sewage" - A combination of the wastewater from residential, commercial, industrial and institutional buildings together with such groundwater infiltration and surface water inflow that may be in the sewers.

(30) "Sewage Treatment Plant" - An arrangement of devices, structures and processes for the treating and disposing of sewage.

(31) "Sewerage System" - All facilities of the County for collecting, pumping, treating and disposing of sewage and industrial wastes.

(32) "Slug" - Any discharge of sewage, industrial waste or other wastewater which in concentration of any given constituent or in quantity of flow exceeds, for any period of duration longer

than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or quantity during normal operating conditions.

(33) "Storm Sewer" or "Storm Drain" - A sewer that conveys stormwater runoff and surface water drainage, but excludes sewage and polluted industrial wastes.

(34) "Stormwater Runoff" - That portion of precipitation which is not absorbed into the ground and which is drained from the ground surface to a natural outlet or watercourse.

(35) "Suspended Solids" - Solids that either float on the surface of, or are in suspension in water, sewage, industrial wastes, or other wastewaters; the quantity of which is determined by standard laboratory filtering test procedures and referred to as nonfilterable residue and expressed in mg/l.

(36) "Unpolluted Wastewater" - Wastewater that would not cause any violation of water quality standards of the Water Pollution Regulations of Illinois when discharged to a natural outlet or watercourse.

(37) "Wastewater" - The wastewater from any domestic, commercial, industrial and institutional uses.

(38) "Watercourse" - Any stream, creek, brook, branch, natural or artificial depression, slough, gulch, ditch, reservoir, lake, pond, or other natural or manmade drainageway in or into which stormwater runoff and surface water drainage flow either continuously or intermittently.

SECTION II USE OF PUBLIC SEWERS REQUIRED

(1) It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within any area under the jurisdiction of the County, any human or animal excrement, garbage or other objectionable waste.

(2) It shall be unlawful to discharge to any natural outlet or watercourse within any area under the jurisdiction of the County, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

(3) Except as hereinafter provided, and subject to the provisions of Article V of the County Board of Health Ordinance, 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.

(4) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the County and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located any public sanitary sewer of the County, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the public sanitary sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so, provided that said sewer is within 300 feet of the property line.

SECTION III PRIVATE SEWAGE DISPOSAL

(1) Where a public sanitary sewer is not available under the Section II (4), the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Section.

(2) Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Health Officer. The application for such permit shall be made on a form furnished by the County Health Department which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Health Officer. A permit and inspection fee as required by the County shall be paid at the time the application is filed.

(3) A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Health Officer. 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 Health Officer when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of written notice by the Health Officer.

(4) The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the County Board Health Ordinance. No septic tank or cesspool shall be permitted to discharge to any natural outlet or watercourse.

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

(6) At such times as a public sanitary sewer becomes available to a property served by a private sewage disposal system, as provided in Section II (4), the building sewer shall be connected to said sewer within ninety (90) days and the private sewage disposal system shall be cleaned of sludge and filled with sand or gravel.

(7) No statement contained in this Section shall be construed to interfere with any additional requirements that may be imposed by the building or zoning authority having jurisdiction over said property.

SECTION IV BUILDING SEWERS AND CONNECTIONS

(1) 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 Superintendent.

(2) It shall be unlawful to discharge wastewater to any public sanitary sewer except those wastewaters in compliance with standards promulgated pursuant to the Federal Act, the State Act, or any rules, regulations, ordinances or standards of the County.

(3) The owner of a building or his agent shall make application for permit on a special form furnished by the County. The permit application shall be supplemented by any plans, specifica-

tions, or other information considered pertinent in the judgement of the Superintendent. An industry, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics, and type of activity.

(4) A building sewer permit will only be issued and a sewer connection shall only be allowed if it can be demonstrated that the downstream sewer system, including sewers, pump stations and wastewater treatment facilities, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.

(5) All costs and expense incident to the installation connection and continuing maintenance and repair of the building sewer shall be borne by the owner. The person installing and maintaining or repairing the building sewer for said owner shall be a plumber or sewer contractor and he shall indemnify the County from any loss or damage that may directly or indirectly be occasioned by said installation.

(6) A separate and independent building sewer shall be provided for every building; except where 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.

(7) Old building sewers may be used in connection with new building only when they are found on examination and test by the Superintendent to meet all requirements of this ordinance.

(8) Building sewers shall be constructed in accordance with the Standard Specifications for Sanitary and Water Service Connections of Lake County dated 1978, and any revisions, thereto.

(9) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by a means which is approved in accordance with Section IV (2), and discharged to the building sewer.

(10) No person(s) shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

SECTION V USE OF THE PUBLIC SEWERS

(1) No person shall discharge, or cause to be discharged, any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any public sanitary sewer.

(2) Stormwater and all other unpolluted drainage shall be discharged to storm sewers or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged upon approval of the Superintendent, to

a storm sewer or natural outlet.

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

(a) Any gasoline, benzene, naptha, fuel oil, or other flammable or explosive liquid, solid, or gas.

(b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.

(c) Any waters of wastes having a pH lower than 5.5 or higher than 9.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewerage works.

(d) Solid or viscous substance in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewerage system such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, woods, whole blood, paunch, manure, hair and fleshings, entrails and paper dishes, cup, and milk containers either whole or ground by garbage grinders.

(e) Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150 deg. F.), (0 deg. and 65 deg. C.).

(f) Oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty degrees Fahrenheit (150 deg. F.), and (0 deg. and 65 deg. C.).

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

(h) Any waters or wastes containing strong acid, iron pickling wastes, or concentrated plating solutions whether neutralized or not.

(i) Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the County as

necessary after treatment of the composite sewage, to meet the requirements of the State, Federal or other public agencies of jurisdiction for such discharge to the receiving waters.

(j) Any waters or wastes having a pH in excess of 9.5.

(k) Any waters or wastes containing substances exceeding the following maximum concentrations of pollutants:

Pollutant	Maximum Concentration	Pollutant	Maximum Concentration
5-day BOD	300 mg/l	Iron	10.0 mg/l
Total Suspended Solids	350 mg/l	Lead	0.1 mg/l
Total Dissolved Solids	1000 mg/l	Manganese	1.0 mg/l (2)
Chemical Oxygen Demand	500 mg/l	Mercury	0.0005 mg/l
Ammonia	50 mg/l	Nickel	1.0 mg/l
Arsenic	0.1 mg/l	Oil (Hexane Soluble)	50.0 mg/l
Borate (Boron)	1.0 mg/l	Phenols	0.5 mg/l
Cadmium	1.0 mg/l	Phosphorus	25.0 mg/l
Chromium (Hexavalent)	0.25 mg/l	Selenium	1.0 mg/l
Chromium (Total)	4.2 mg/l	Silver	1.0 mg/l
Copper (Total)	1.0 mg/l (1)	Zinc	0.1 mg/l
Cyanide	0.025 mg/l		

(1) IPCB Regulations, Chapter 3, Section 703 (a)

(2) IPCB Regulations, Chapter 3, Section 702 (a)

(l) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the County in compliance with applicable State or Federal regulations.

(m) Any mercury or any of its compounds in excess of 0.0005 mg/l as Hg at any time except as permitted by the County in compliance with applicable State and Federal regulations.

(n) Any cyanide in excess of 0.025 mg/l at any time except as permitted by the County in compliance with applicable State and Federal regulations.

(o) Materials which exert or cause:

(1) unusual concentrations of inert suspended solids (such as, but not limited to Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate);

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

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

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

(p) Waters of wastes containing substances which are

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

(4) If any waters or wastes are discharged, or are proposed to be discharged to the public sanitary sewers, which waters contain the substances or possess the characteristics enumerated in Section V, (3), and/or which are in violation of the standards for pretreatment provided in Chapter 1, EPA Rules and Regulations, Subchapter D, Water Programs, Part 403-"General Pretreatment Regulations For Existing and New Sources of Pollution" published in Federal Register Volume 43, No. 123, Monday, June 26, 1978, and any amendments thereto, and which in the judgement of the County may have 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 Superintendent may reject the wastes; require pretreatment to an acceptable condition for discharge to the public sanitary sewer; require control over the quantities and rates of discharge; and/or require payment to cover the added costs of handling and treating the wastes not covered by existing sewer charges. If the Superintendent permits the pretreatment or equalization of wastewater flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent and subject to the requirements of all applicable codes, ordinances, and laws.

(5) Grease, oil, and sand interceptors shall be provided when, in the opinion of the 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 such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection.

(6) Where pretreatment of flow-equalizing facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

(7) Each industry shall be required to install a control manhole and, when required by the County, the Owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the County. The manhole shall be installed by owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

(8) The owner of any property serviced by a building sewer carrying industrial wastes shall provide laboratory measurements, tests, and analyses of waters and waste to demonstrate compliance with this ordinance and any special conditions for discharge

established by the County or regulatory agencies having jurisdiction over the discharge. The number, type, and frequency of laboratory analyses to be performed by the owner shall be as stipulated by the County, but no less than once per year the industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with the Federal, State, and local standards are being met. The owner shall report the results of measurements and laboratory analyses to the County at such times and in such manner as prescribed by the County. The Owner shall be the expense of all measurements, analyses, and reporting required by the County. At such times as deemed necessary, the County reserves the right to take measurements and samples for analysis.

(9) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association and "USEPA Guidelines Establishing Test Procedures for Analysis of Pollutants" pursuant to 40 CFR Part 136 and shall be determined at the control manhole, provided or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customary accepted methods to reflect the effect of constituents upon the sewerage works and

to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite sample or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composite samples, whereas pH's are determined from periodic grab samples.)

(10) No statement contained in this Section shall be construed as preventing any special agreement or arrangement between the County and any industrial concern whereby an industrial waste or unusual strength or character may be accepted by the County for treatment, subject to payment therefore by the industrial concern, provided such payments are in accordance with the applicable ordinance governing Sewer User Service Charges and Industrial Cost Recovery.

SECTION VI PROTECTION OF SEWER SYSTEM FROM DAMAGE

(1) No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, or tamper with any structure system. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct and damaging public property.

SECTION VII POWERS AND AUTHORITY OF INSPECTORS

(1) The County and other duly authorized employees of the County, the Illinois Environmental Protection Agency, and the

U.S. Environmental Protection Agency, bearing proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. The County or its 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.

(2) While performing the necessary work on private properties referred to in Section VI, Item (1) above, the County, 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 County employees and the County shall indemnify the company against loss or damage to its property by County employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Section V, Item (9).

(3) The County and other duly authorized employees of the County bearing proper credentials and identification shall be permitted to enter all private properties through which the County 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 said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

SECTION VIII PENALTIES

(1) Any person found to be violating any provision of this ordinance except Section VI shall be served by the County with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(2) Any person who shall continue any violation beyond the time limit provided for in Section VIII, Item (1), shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding ONE HUNDRED ($100.00) DOLLARS for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

(3) Any person violating any of the provisions of this ordinance shall become liable to the County for any expense, loss, or damage occasioned the County by reason of such violation.

SECTION IX VALIDITY

(1) All ordinances or parts of ordinances in conflict herewith are hereby repealed.

(2) The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

SECTION X ORDINANCE IN FORCE

(1) This ordinance shall be in full force and effect ten (10) days after its passage, approval, recording, and publication as provided by law.

DATED, at WAUKEGAN, LAKE COUNTY, ILLINOIS, on this 9th day of February A.D., 1988.

ATTEST:

Linda Ianuzi Hess
Lake County Clerk

James Fields, Chairman
Lake County Board