



CITY COUNCIL AGENDA ITEM STAFF REPORT

MEETING DATE:	DECEMBER 9, 2025
TITLE:	AN ORDINANCE AMENDING TITLE 13 (PUBLIC SERVICES) OF THE CODE OF ORDINANCES OF THE CITY OF COLLINSVILLE, ILLINOIS AS IT PERTAINS TO WATER RELATED SERVICES
DEPARTMENT:	ADMINISTRATION
PROJECT MANAGER:	JESSICA SHORT, ASSISTANT CITY MANAGER/ECONOMIC DEVELOPMENT MANAGER
REQUESTED ACTION:	APPROVAL
STRATEGIC PLAN GOAL(S):	#7: SUPPORT EXCELLENT MUNICIPAL SERVICES
ATTACHMENTS:	ORDINANCE EXHIBIT A

OVERVIEW

The proposed amendments are intended to modernize and clarify language in Title 13 by consolidating and reorganizing redundant code sections, removing the requirement for account deposits on owner-applicant utility accounts, and requiring annexation or pre-annexation for water or sewer services provided outside the corporate limits of the City.

EXECUTIVE SUMMARY

Title 13 Public Services regulates all facets of water and waste water services. Staff has found multiple areas within *Title 13* that are unclear, redundant, or outdated. Additionally, to continue providing excellent customer service, staff is recommending removal of utility account deposits for accounts in which the owner is the applicant for such services. Lastly, the amendment includes language to require annexation or pre-annexation for water or sewer services outside City limits to continue growth of the City. It is important to note that annexation is strictly at the City's discretion, and the City is not obligated to act upon any pre-annexation agreement if it is not in the best interest of the City.

The proposed amendments to *Title 13 Public Services* accomplish the following:

- Consolidates duplicate definitions into *Sec. 13.02.010* to reduce redundancy in the Code of Ordinances
- Adds language to require annexation of properties contiguous to the City for water and sewer services to be provided and pre-annexation for non-contiguous non-resident water and sewer services
- Modernizes language, replacing phrases such as "Water Director" or "Director of the Combined System" with "Director of Public Works," "fireplugs" with "fire hydrants," and "shut off" with "disconnect"

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- Corrects or removes position titles from processes where designating a specific position is not in the best interest of the City. For example, “City Treasurer” is currently responsible for issuing notice of bill delinquency. Proposed amendment recommends simplifying to “City” to provide flexibility of duties
- Clarifies the City will endeavor to reestablish services within two business days following a disconnection
- Removes utility account deposits for accounts in which the owner is the customer for such services
- Adds language requiring installation of tracer wire for laterals installed or replaced on or after January 1, 2026
- Removes limit of secondary taps to only single family residential and commercial properties and removes requirement for customer to have one year of service at same address to obtain a secondary tap
- Removes gender-specific language where possible
- Removes fees and fines and replaces with references to *Title 4, Fees and Fines*
- Increases bond requirement for sewer excavations from \$15,000 to \$25,000
- Increases insurance coverage requirements for liquid waste haulers to \$1,000,000 for all automobile incidents (formerly \$100,000 for single occurrence, \$300,000 for aggregate, and \$100,000 for property damage)
- Makes language more succinct, reorganizes sections to be more concise, and makes grammar corrections

This section highlights changes to the existing ordinance. Please see the attached ordinance for the full Public Services regulations.

Existing Text: Black

Removed Text: ~~Red~~

New Text: Purple

Moved Text: Purple

Title 13 PUBLIC SERVICES¹

Chapter 13.02 DEFINITIONS

Sec. 13.02.010. Definitions.

Except as stated in this Title, and unless a different meaning of a word or term is clear from the context or as used in the Illinois Environmental Protection Act (415 ILCS 5/14 et seq.), the definitions of words or terms in this Title shall be as follows.

Act means the Illinois Environmental Protection Act (415 ILCS 5/1 et seq.).

Administrator means the Administrator of the U.S. Environmental Protection Agency.

¹State law reference(s)—Municipal water and sewer systems, 624 ILCS 5/11-24-1 et seq.

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Agency means the Illinois Environmental Protection Agency.

Approving authority means the director of the City's Director of Public Works.

Approved backflow prevention device means meeting the standards of the Illinois Plumbing Code and the Illinois Environmental Protection Agency.

Aquifer means saturated (with groundwater) soils and geologic materials which are sufficiently permeable to economically readily yield useful quantities of water to wells, springs or streams under ordinary hydraulic gradients.

Auxiliary water system means any water source or system on or available to the premises other than the public water supply system and includes the water supplied by the system. These auxiliary waters may include water from another purveyor's public water supply system; or water from a source such as wells, lakes or streams, or process fluids, or used water. These waters may be polluted or contaminated or objectionable or constitute a water source or system over which the water purveyor does not have control.

Basic user charge means the basic assessment levied on all users of the public sewer system.

Board means the Illinois Pollution Control Board.

Backflow means the flow of water or other liquids, mixtures, or substances into the distribution pipes of a potable water system from any source other than the intended source of the potable water supply.

Backflow prevention device means any device, method or type of construction intended to prevent backflow into a potable water system. All devices used for backflow prevention in Illinois must meet the standards of the Illinois Plumbing Code and the Illinois Environmental Protection Agency.

Biochemical oxygen demand (BOD) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standards laboratory procedure in five (5) days at twenty (20) degrees Celsius, expressed in milligrams per liter.

Building drain means that part of the lowest piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer or other approved point of discharge, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

Building sewer means the extension from the building drain to the sanitary sewer main.

City means the City of Collinsville, Counties of Madison and St. Clair, Illinois.

Containment device means a device that is designated to contain an unauthorized release, retain it for cleanup and prevent released materials from penetrating into the ground.

Facility means:

1. Any building, structure, installation, equipment, pipe or pipeline including but not limited to any pipe into a sewer or publicly-owned treatment works, well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock or aircraft; or
2. Any site or area where a hazardous substance has been deposited, stored, disposed of, or placed or otherwise come to be located. Consumer or customer means the owner, official custodian or person in control of any premises supplied by or in any manner connected to a public water system.

Consumer's water system means any water system located on the customer's premises. A building plumbing system is considered to be a customer's water system from the property line inward.

Contamination means an impairment of the quality of the water by entrance of any substance to a degree which could create a health hazard according to standards adopted by the Illinois Environmental Protection Agency.

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Control manhole means a structure located on a site from which industrial wastes are discharged. Where feasible, the manhole shall have an interior drop. The purpose of a control manhole is to provide access for the City representative to sample and/or measure discharges.

Cross connection means any physical connection or arrangement between two (2) otherwise separate piping systems, one (1) of which contains potable water and the other a substance of unknown or questionable safety or quality, whereby there may be a flow from one system into the other.

Debt service charge shall be paid each billing period for payment of interest, principal and coverage of (loan, bond, etc.) outstanding and shall be computed by dividing the annual debt service by the number of users connected to the wastewater facilities.

Direct cross connection means a cross connection formed when a water system is physically joined to a source of unknown or unsafe substance.

Director of Public Works, or Director, means that person appointed to such position for the City, or their designee, as referenced in this chapter.

Double check valve assembly means an assembly composed of single, independently acting check valves approved under ASSE Standard 1015. A double check valve assembly must include tight shutoff valves located at each end of the assembly and suitable connections for testing the water-tightness of each check valve.

Easement means an acquired legal right for the specific use of land owned by others.

Effluent criteria are defined in any applicable NPDES permit.

Federal Act means the Federal Water Pollution Control Act (33 USC 1251 et seq.) as amended by the Federal Water Pollution Control Act of Amendments of 1972 (Pub. L. 92-500) and (Pub. L. 93-243).

Federal grant means the U.S. government participation in the financing of the construction of treatment works as provided for by Title 11, Grants for Construction of Treatment Works of the Act and implementing regulations.

Fixed proper air gap means the unobstructed vertical distance through the free atmosphere between the water discharge point and the flood level rim of the receptacle.

Floatable oil is oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

Garbage means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

Groundwater means underground water which occurs within the saturated zone and geologic materials where the fluid pressure in the pore space is equal to or greater than atmospheric pressure.

Groundwater protection area (GWPA) means the portion of an aquifer within the minimum setback zone, maximum setback zone, or five-year capture zone of a well or well field as delineated in Exhibit 2 of this ordinance.

Groundwater protection area permit means an authorization from the City for a person to store, handle, use or produce a regulated substance within a GWPA.

Groundwater protection overlay zones are zones of the GWPA designated to provide differential levels of protection. Each GWPA is subdivided into three (3) groundwater protection overlay zones as described below and as illustrated in Exhibit 2.

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1. Zone 1: minimum setback zone. The geographic area located between a well or well field providing potable water to a community water supply and a radial area of four hundred (400) feet (one hundred twenty-two (122) meters).
2. Zone 2: maximum setback zone. The geographic area located between a well or well field providing potable water to a community water supply and a regular or irregularly shaped area not to exceed one thousand (1,000) feet (three hundred five (305) meters) from the wellhead, but excluding the minimum setback zone.
3. Zone 3: five-year capture zone. The geographic area located between a well or well field providing potable water to a community water supply and the delineated five-year capture zone but excluding Zones 1 and 2.

Health hazard means any condition, device or practice in a water system or its operation resulting from a real or potential danger to the health and well-being of consumers. The word "severe" as used to qualify "health hazard" means a hazard to the health of the user that could be expected to result in death or significant reduction in the quality of life, according to standards adopted by the Illinois Environmental Protection Agency.

Indirect cross connection means a cross connection through which an unknown substance can be forced, drawn by vacuum or otherwise introduced into a safe potable water system.

Industrial user means any nongovernmental user of publicly owned treatment works identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions:

1. Division A—Agriculture, forestry, and fishing;
2. Division B—Mining;
3. Division D—Manufacturing;
4. Division E—Transportation, communications, electric, gas and sanitary services;
5. Division I—Services.

A user in the divisions listed above may be excluded if it is determined by the Director that it will introduce primarily segregated domestic wastes or wastes from sanitary conveniences.

Industrial waste means any solid, liquid or gaseous substance discharged, permitted to flow or escaping from any industrial, manufacturing, commercial or business establishment or process or from the development, recovery or processing of any natural resource as distinct from sanitary sewage.

Inspection means a plumbing inspection to examine carefully and critically all materials, fixtures, piping and appurtenances, appliances and installations of a plumbing system for compliance with requirements of the Illinois Plumbing Code, 77 Ill. Adm. Code 890.

Major contributing industry means an industrial user of the publicly owned treatment works that has a flow of fifty thousand (50,000) gallons or more per average work day, or has a flow greater than ten (10) percent of the flow carried by the municipal system receiving the waste, or has in its waste a toxic pollutant in toxic amounts as defined in standards issued under Section 307(a) of the 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 in combination with other contributing industries, on that treatment works or upon the quality of effluent from that treatment works.

Maximum setback zone means the area around a community water supply well established under Section 14.3 of the Act, as amended.

Milligrams per liter means a unit of the concentration of water or wastewater constituent. It is 0.001 grams of the constituent in one thousand (1,000) milliliters of water. It has replaced the unit formerly used commonly, parts per million, to which it is approximately equivalent, in reporting the results of water and wastewater analysis.

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Minimum setback zone means the area around a community water supply well established under Section 14.2 of the Act, as amended.

Natural outlet means any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

New potential primary source means:

1. A potential primary source which is not in existence or for which construction has not commenced at its location from 1 January 1998; or
2. A potential primary source which expands laterally beyond the currently permitted boundary or, if the primary source is not permitted, the boundary in existence as of the effective 1 January 1998; or
3. A potential primary source which is part of a facility that undergoes major reconstruction. Such reconstruction shall be deemed to have taken place where the fixed capital cost of the new components constructed within a two-year period exceed fifty (50) percent of the fixed capital cost of a comparable entirely new facility.

New potential route means:

1. A potential route which is not in existence or for which construction has not commenced at its location as of 1 January 1998 ; or
2. A potential route which extends laterally beyond the currently permitted boundary or, if the potential route is not permitted, the boundary in existence as of the effective date of this ordinance. Construction shall be deemed commenced when all necessary federal, state, and local approvals have been obtained, and work at the site has been initiated and proceeds in a reasonably continuous manner to completion.

New potential secondary source means:

1. A potential secondary source which is not in existence or for which construction has not commenced at its location as of the effective date of this ordinance; or
2. A potential secondary source which expands laterally beyond the current permitted boundary or, if the secondary potential source is not permitted, the boundary in existence as of 1 January 1998, other than an expansion for handling of livestock waste or for treating domestic waste waters; or
3. A potential secondary source which is part of a facility that undergoes major reconstruction. Such reconstruction shall be deemed to have taken place where the fixed capital cost of the new components constructed within a two-year period exceed fifty (50) percent of the fixed capital cost of a comparable entirely new facility.

Construction shall be deemed commenced when all necessary federal, state and local approvals have been obtained and work at the site has been initiated and proceeds in a reasonably continuous manner to completion.

Non-potable water means water not safe for drinking, personal, or culinary use as determined by the requirements of 35 Ill. Adm. Code 604.

NPDES permit means any permit or equivalent document or requirements issued by the Administrator, or, where appropriated by the Director, after enactment of the Federal Water Pollution Control Amendments of 1972, to regulate the discharge of pollutants pursuant to Section 402 of the Federal Act.

Operator means any person in control of, or having responsibility for, daily operation of a facility.

Owner means any person who owns a site, facility or unit or part of a site, facility or unit, or who owns the land upon which the site, facility or unit is located.

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Person means any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns, or any other entity whatsoever or any combination of such, jointly or severally. "Person" shall specifically not include the City of Collinsville.

pH means the logarithm (base 10) of the reciprocal of the hydrogen-ion concentration expressed by one of the procedures outlined in Standard Methods.

Plumbing means the actual installation, repair, maintenance, alteration or extension of a plumbing system by any person. Plumbing includes all piping, fixtures, appurtenances and appliances for a supply of water for all purposes, including without limitation lawn sprinkler systems, from the source of a private water supply on the premises or from the main in the street, alley or at the curb to, within and about any building where a person lives, works or assembles. Plumbing includes all piping, from discharge of pumping units to and including pressure tanks in water supply systems. Plumbing includes all piping, fixtures, appurtenances, and appliances for a building drain and a sanitary drainage and related ventilation system of any building where a person lives, works or assembles from the point of connection of such building drain to the building sewer or private sewage disposal system five (5) feet beyond the foundation walls.

Pollution means the presence of any foreign substance (organic, inorganic, radiological or biological) in water that tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water.

Population equivalent is a term used to evaluate the impact of industrial or other waste on a treatment works or stream. One population equivalent is one hundred (100) gallons of sewage per capita per day, containing seventeen hundredths (0.17) pounds of BOD per capita per day and twenty-two hundredths (0.22) pounds of suspended solids per capita per day.

Potable water means any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing foods.

Potential cross connection means a fixture or appurtenance with threaded hose connection, tapered spout, or other connection which would facilitate extension of the water supply line beyond its legal termination point.

Potential primary source means any unit at a facility or site not currently subject to a removal or remedial action which:

1. Is utilized for the treatment, storage, or disposal of any hazardous or special waste not generated at the site; or
2. Is utilized for the purpose of municipal waste not generated at the site, other than landscape waste and construction debris; or
3. Is utilized for the land filling, land treating, surface impounding or piling of any hazardous or special waste that is generated on the site or other sites owned, controlled, or operated by the same person; or
4. Stores or accumulates at any time more than seventy-five thousand (75,000) pounds (thirty-four thousand twenty (34,020) kilograms) above ground, or more than seven thousand five hundred (7,500) pounds (three thousand four hundred two (3,402) kilograms) below ground, of any hazardous substances.

Potential route means abandoned and improperly plugged wells of all kinds, drainage wells, all injection wells, including closed loop heat pump wells, and any excavation for the discovery, development or production of stone, sand or gravel.

Potential secondary source means any unit at a facility or a site not currently subject to a removal or remedial action, other than a potential primary source which:

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1. Is utilized for the land filling, land treating, or surface impounding of waste that is generated on the site or at other sites owned, controlled or operated by the same person, other than livestock and landscape waste, and construction and demolition debris; or
2. Stores or accumulates at any time twenty-five thousand (25,000) pounds (eleven thousand three hundred forty (11,340) kilograms) but not more than seventy-five thousand (75,000) pounds (thirty-four thousand twenty (34,020) kilograms) above ground, or more than two thousand five hundred (2,500) pounds (one thousand one hundred thirty-four (1,134) kilograms) but not more than seven thousand five hundred (7,500) pounds (three thousand four hundred two (3,402) kilograms) below ground, of any hazardous substances; or
3. Stores or accumulates at any time more than twenty-five thousand (25,000) gallons (ninety-four thousand six hundred thirty-three (94,633) liters) above ground, or more than five hundred (500) gallons (1,893 liters) below ground, of petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance; or
4. Stores or accumulates pesticides, fertilizers or road oils for purpose of commercial application or for distribution to retail sales outlets; or
5. Stores or accumulates at any one (1) time more than fifty thousand (50,000) pounds (22,680 kilograms) of any deicing agent; or
6. Is utilized for handling livestock waste or for treating domestic waste water other than private sewage disposal systems as defined in the Private Sewage Licensing Act (225 ILCS 22511 et seq.).

ppm means parts per million by weight.

Pretreatment means the treatments of wastewaters from sources before introduction into the wastewater treatment works.

Process fluid means any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, pollutional or system hazard if introduced into the public or a consumer's potable water system. This includes but is not limited to:

1. Polluted or contaminated waters;
2. Process waters;
3. Used waters originating from the public water supply system which may have deteriorated in sanitary quality;
4. Cooling waters;
5. Questionable or contaminated natural waters taken from wells, lakes, streams or irrigation systems;
6. Chemicals in solution or suspension;
7. Oils, gases, acids, alkalis and other liquid and gaseous fluids used in industrial or other processes, or for firefighting purposes.

Properly shredded garbage means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (½) inch (1.27 centimeters) in any dimension.

Public water supply means all mains, pipes and structures through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treatment plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing water for drinking or general domestic use by the City water department.

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Recharge area means the area through which precipitation and surface water can enter an aquifer.

Reduced pressure principle backflow prevention device means a device containing a minimum of two (2) independently acting check valves together with an automatically operated pressure differential relief valve located between the two (2) check valves and approved under ASSE Standard 1013. During normal flow and at the cessation of normal flow, the pressure between these two (2) checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check valves at less than supply pressure. The unit must include tightly closing shutoff valves located at each end of the device, and each device shall be fitted with properly located test cocks.

Regulated substances means those substances found in Exhibit 1, attached hereto and incorporated herein.

Replacement means expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the service life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.

Residential user or commercial user or nonindustrial user means any user of the treatment works not classified as an industrial user or excluded as an industrial user as provided for in this section.

Sanitary sewer means a sewer that conveys sewage or industrial wastes or a combination of both, and into which stormwater, surface water and groundwater or unpolluted industrial wastes are not intentionally admitted.

Sanitary sewer mains are those sewer lines that are eight (8) inches and larger in diameter, and they basically service more than a single customer location. There are some isolated exceptions where commercial building sewer lines are eight (8) inches in diameter or larger, but they basically service only a single customer. All sewer lines that are not sanitary sewer mains are considered building sewers.

Saturated zone means the zone in which the voids in the rock or soil are filled with water at a pressure greater than atmospheric pressure.

Service connection means the opening, including all fittings and appurtenances, at the water main through which water is supplied to the user.

Service Lateral means any underground facility located within a public right-of-way or utility easement that connects a building or property to a publicly owned or operated utility system, including but not limited to:

1. Water service laterals;
2. Sanitary sewer service laterals;
3. Storm sewer laterals;
4. Any other underground facility used to transport or convey a utility service from the utility main to the customer or end user.

This definition shall be interpreted consistent with the Illinois Underground Utility Facilities Damage Prevention Act (220 ILCS 50).

Setback zone means a geographic area designated pursuant to the Act and this ordinance, containing a potable water supply well or a potential source or potential route having a continuous boundary and within which certain prohibitions or regulations are applicable in order to protect groundwaters.

Sewage is used interchangeably with "wastewater."

Sewer means a pipe or conduit for conveying sewage or any other waste liquids, including stormwater, surface water and groundwater drainage.

Sewerage means the system of sewers and appurtenances for the collection, transportation and pumping of sewage.

Sewerage fund is the principal accounting designation for all revenues received in the operation of the sewerage system.

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Site means any location, place, tract of land or facility including but not limited to buildings and improvements used for purposes subject to regulations or control by the Act or regulations thereunder.

Slug means any discharge of water, sewage or industrial waste 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 flows during normal operation.

Standard methods means the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water and Wastewater" published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

State Act means the Illinois Anti-Pollution Bond Act (30 ILCS 405/1 et seq.).

State grant means the State of Illinois participation in the financing of the construction of treatment works as provided for by the Illinois Anti-Pollution Bond Act (30 ILCS 405/1 et seq.) and for making such grants as filed with the Secretary of State of the State of Illinois.

Storm sewer means a sewer that carries stormwater, surface water and groundwater drainage but excludes sewage and industrial wastes other than unpolluted cooling water.

Stormwater runoff means that portion of the precipitation that is drained into the sewers.

Surcharge means the assessment in addition to the basic user charge and debt service charge which is levied on those persons whose wastes are greater in strength than the concentration values established in in this chapter.

Survey means the collection of information pertaining to a customer's piping system regarding the location of all connections to the public water supply system and must include the location, type and most recent inspection and testing date of all cross connection control devices and methods located within that customer's piping system. The survey must be in written form, and should not be an actual plumbing inspection.

Suspended solids means solids that either float on the surface of, or are in suspension in water, sewage or industrial waste, and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in Standard Methods.

System hazard means a condition through which an aesthetically objectionable or degrading material not dangerous to health may enter the public water supply system or a consumer's potable water system.

Unauthorized release means any spilling, leaking, emitting, discharging, escaping, leaching, or disposing of a regulated substance in a quantity greater than one (1) gallon (eight (8) pounds) from a facility into a containment system, into the air, into groundwater, surface water, surface soils or subsurface soils. Unauthorized release does not include: intentional withdrawals of regulated substances for the purpose of legitimate sale, use or disposal; and discharges permitted under federal, state or local law.

Underlying permit includes the building permits, sewer tap agreements, stormwater retention permits, occupancy permits, preliminary plat and final plat (required by the City of Collinsville Subdivision Ordinance) and any other applicable approval or permit required by the City.

Unpolluted water is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

Unit means any device, mechanism, equipment or area (exclusive of land utilized for agricultural production).

Used water means any water supplied by a public water supply system to a consumer's water system after it has passed through the service connection and is no longer under the control of the water supply official custodian.

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Useful life means the estimated period during which the collection system and/or treatment works will be operated and shall be thirty (30) years from the date of startup of any wastewater facilities constructed with a state grant.

User. Any person's use, or attempt to use, groundwater as a potable water supply within the corporate boundaries of the City of Collinsville by the installation or drilling of wells, or by any other method is hereby prohibited, except at points of withdrawal by the City of Collinsville and the Village of Troy.

User charge means a charge levied on users of treatment works for the cost of operation and maintenance.

User class means the type of user either residential or commercial (nonindustrial) or industrial as defined in this chapter.

Wastewater means the spent water of a community. From this standpoint of course, it may be a combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and stormwater that may be present.

Wastewater facilities means the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and transport effluent to a watercourse.

Wastewater service charge means the charge per quarter or month levied on all users of the wastewater facilities. The service charge shall be computed as outlined in and shall consist of the total of the basic user charge, the debt service charge and a surcharge, if applicable.

Wastewater treatment works means an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge, and is sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "pollution control plant."

Water purveyor means the City of Collinsville.

Water quality standards are defined in the Water Pollution Regulations of Illinois.

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

Well means any excavation that is drilled, cored, bored, driven, dug, fitted or otherwise constructed when the intended use of such excavation is for location, diversion, artificial recharge or acquisition of groundwater.

Well field means an area which contains one (1) or more wells for obtaining a potable water supply.

Well number means a well number owned and operated by the City of Collinsville Water Department.

Chapter 13.04 WATER SERVICE SYSTEM

Sec. 13.04.010. Contract regulations.

The provisions of this chapter and all amendments thereto shall be a part of the contract between the City and every person using the water system, and the sewer system where applicable, such contract including but not being limited to the regulations in Sections 13.04.010 through 13.04.240.

Sec. 13.04.020-015. Service ~~to be shut off when~~ Outside the City.

- A. No water service shall be provided to an applicant outside the corporate limits unless at the City's discretion, when such services are in the best interest of the City, the applicant petitions for annexation to the City, or if the applicant cannot annex to the City pursuant to law, that the applicant must execute a pre-annexation agreement with the City. In the event the applicant for service is not the owner of record (owner), the owner shall petition for annexation to the City,

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or if the owner cannot annex to the City pursuant to law, the owner must execute a pre-annexation agreement with the City, before service will be provided to the applicant.

- B. In addition to any other provisions that may be contained in the pre-annexation agreement, the agreement must provide for the annexation of the property to the City and must further provide, in those instances where the applicant desires water service to more than one single-family residential property, that the applicant, or owner of record when not the same entity, demonstrate, to the satisfaction of the City, that the proposed land use for which water is desired, is in conformity with the regional land use plans currently used and adopted by the City.
- C. Notwithstanding the foregoing provisions, if the water customer's (owner's) property is unincorporated, but is contiguous to the City's corporate limits, water service shall only be provided and continued by the City upon the annexation of such property to the City. If the water customer's (owner's) property is unincorporated and is not contiguous to the City's corporate limits, water service may only be provided and continued to the property upon the owner's submission to the City of an irrevocable petition to annex the property to the City, along with all other requested information pertaining to the property. The annexation of the property to the City would occur at such time as the property becomes contiguous to the City's corporate limits.

Sec. 13.04.020. Service to be disconnected when.

Whenever any ordinance, rule, or regulation affecting the water system, or any part thereof, is violated by the user, the water service to or from the building or place of such violation shall be ~~shut off~~ disconnected and shall not again be available, except upon order of the Director of the ~~Water Department~~ Public Works, and upon payment of a fee to be set by the City Council ~~by resolution or motion~~ as established in Title 4 – Fees and Fines, and upon a satisfactory showing that no future cause for complaint shall arise.

Sec. 13.04.030. Applications for water taps—Permit issuance; fee; annexations.

- A. ~~A. Persons desiring to avail themselves of the facilities of~~ connect to the City water system shall at the City's discretion, when such services are available and connection is in the best interest of the City, annex into the City the property to which service is ~~desired to the City, requested;~~ desired; or, if said property is not contiguous to the City limits, shall enter into a ~~preannexation~~ pre-annexation agreement stating the property to which ~~services~~ service is desired will be annexed ~~to~~ into the City once ~~it~~ such property becomes contiguous. ~~(Ord. No. 3627, 4-11-2005)~~ Application for annexation and pre-annexation shall be made on forms supplied by the City and application fees as established in Title 4 – Fees and Fines shall be paid at time of application.
- B. . Any person desiring to make a water tap or service connection with the City water system shall file a written application upon forms provided by the City for that purpose.
- C. Installation of water meters that are three (3) inches and larger in size shall be connected off of a fire supply line and brought into a mechanical room when/whenever possible or at the direction of the Director of Public Works. Backflow prevention shall be installed in accordance with all applicable regulations. ~~4117, 8-11-2008)~~

Sec. 13.04.040. Same—Misrepresentations on forms.

No permit as provided in Section 13.04.030 shall be issued to authorize anything not explicitly and truthfully stated in the application required by Section 13.04.030 and any misrepresentation in the application shall be immediately reported by the plumber to the Director of ~~the combined system.~~ Public Works.

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Sec. 13.04.050. Water and sewer bill due date; delinquency; notice and hearing; disconnection.

All recurring rates and charges provided for in this chapter are due twenty-eight (28) days after the bill is issued, payable at the office of the City ~~Clerk~~Hall. Bills may be issued monthly, bi-monthly, quarterly or at such intervals as the ~~council~~City Council shall determine, and the City may be divided into districts whose periodic billings may differ from those of other districts. Payments received by the City after twenty-eight (28) days shall be considered delinquent and a ten (10) percent delinquency charge shall be added to the amount due, or such other delinquency charges as the City Council may establish. The City ~~Treasurer~~ shall give the owner or tenant or both, as the case may be, written notice of the delinquency providing in said notice that water service will be disconnected if the total delinquency is not paid by a certain date specified in the notice, which date shall be at least ten (10) days after the date of the notice, and affording the delinquent customer an opportunity to be heard if the customer wishes to contest the delinquency, which hearing shall be afforded prior to any disconnection of water service. Disconnection shall be at least two (2) days after the date set for the hearing, and shall be after the expiration of the ten (10) days after the date of the notice.

Sec. 13.04.060. ~~Reestablishing~~Re-establishing water service after disconnection.

In case water service is disconnected pursuant to Section 13.04.050, water service will not be re-established for that location unless all back service rates, charges, and ~~cut off~~disconnection fees are paid, together with any other fees as established by the City Council. The City will endeavor to reestablish service within two (2) business days of all amounts owed to the City being made current.

Sec. 13.04.070. Deposits for ~~residential~~ water service connections—Required.

A. Deposits shall be required of all non-owner applicants for permits for a residential water service connection, which deposits, Deposit fees are established in Title 4 and are due and payable at the time of application.

B. Nonpayment of fees and late payment may result in forfeiture of the deposit. Those customers with prompt payment of bills for a period of twenty-four (24) consecutive months may be refunded the amount of the deposit, when applicable, as provided for in this Chapter.

Sec. 13.04.080. ~~Same—Council—~~ Deposit to ~~determine amount~~be returned when.

~~The Any~~ deposit made by an applicant for residential water service connection ~~when the dwelling house is located within the City limits shall be as set by the City Council. The deposit for residential water service connection when not be credited to the dwelling house is located outside the City limits account, but shall be remain intact as set by the City Council a deposit or security and, if all bills have been paid in full upon the termination of such service, shall be returned, without interest.~~

Sec. 13.04.090. ~~Deposits for commercial water service connections required. Deposits shall be required of all applicants for permits for a commercial water service connection, which deposits are due and payable at the time of applications, and shall be in the amounts as set by the City Council.~~ Reserved

Sec. 13.04.100. Liens placed upon real estate due to payment delinquency.

In addition to Sections 13.04.050 through 13.04.090, and in addition to other remedies provided by law, the City shall have file a lien upon the real estate ~~upon or~~ for which service is supplied ~~from to~~ and after such charges or rates have become delinquent, and sworn statements showing such delinquencies shall be prepared by the City Clerk and filed in the office of the county recorder of deeds, and such liens may, upon the order of the ~~council~~City Council, be foreclosed, all in accordance with the statutes in such case made and provided.

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Sec. 13.04.110. Water ~~or sewer service~~—Discontinuance of use.

~~Parties~~A customer desiring to discontinue the use of water or ~~sewerage~~sewer service must give notice thereof in writing to the ~~Director~~City at least three (3) days prior to such termination, or shall, prior to vacating the premises, make certain that a new ~~occupant~~customer thereof has arranged for such water or ~~sewerage~~sewer service. Failure of the current customer of record to properly notify the City of discontinuance or failure to make appropriate arrangements with the new customer for timely transfer of services shall not be relieved of result in continued liability for the service rendered to the new occupant in the event water and sewer usage for the charges are not paid by such new occupant current customer of record.

Sec. 13.04.120. Same—City's right to ~~shut off~~disconnect service for repairs.

The City shall have the right at any time, without notice, to ~~shut off the~~disconnect water mains for the purpose of making repairs, extensions, and connections or for such other purposes as may require such action in connection with the water or ~~sewerage service.~~ sewer service. The City shall not be responsible for any consequential damages resulting from or related to turning off of water services.

Sec. 13.04.130. Emergency suspension of water use.

Whenever, in the judgment of the ~~council~~City Council, public exigency so requires, the mayor shall have the right and authority by proclamation to limit in respect to time, or wholly suspend and prohibit for such length of time as the ~~council~~City Council determines, the drawing or use of water for any purpose, and no person shall use or draw water in violation of any such proclamation.

Sec. 13.04.140. Meter; furnished and installed by the City; readings to govern payments.

Meters shall be furnished by the City and installed for all premises, places of business, buildings or other places using water. Such meters shall be of a standard type to be selected from time to time by the ~~council~~City. Meter readings shall govern payment of all charges under this chapter, unless the meter is found to be defective.

~~13.04.~~If any meter fails to register correctly the quantity of water used, the quantity shall be determined and the charge based on the average quantity registered during the preceding periods of time it had been used by such user.

In the event any consumer has reason to believe that their meter is defective, the City will, upon payment of a deposit set by the City Council, test the meter. If the meter is found to register correctly, the consumer shall forfeit the deposit as partial compensation to the City, but if the meter is found to be defective, the City will repair or replace the meter and return the deposit.

Sec. 13.04.145. Installation by licensed plumber.

All the water mains, gate valves, hydrants, and fittings shall be installed by a plumber licensed in the State per the Illinois State Plumbing Code.

Sec. 13.04.150. Extension of water service; cost to be applicant's responsibility.

The water service from the property line into the ~~dwelling house or~~ building shall be installed at the sole cost and expense of the applicant, ~~Repairs and he shall repair and maintain~~maintenance of said portion of the extension shall be at his sole cost and expense ~~of the water service customer. Repairs and maintenance shall be made in accordance with the Illinois State Plumbing Code.~~

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Sec. 13.04.160. ~~Meter; maintenance~~ Installation, Connection, Maintenance and expense to be City's responsibility Repair of Water Service Lateral.

~~The City shall furnish and install the meters provided for in Section 13.04.140 and shall repair, maintain or replace meters at its sole cost and expense.~~ **A. Required Locatability.**

Beginning January 1, 2026, all newly installed or fully replaced service laterals located within the City of Collinsville shall be constructed so that the lateral is locatable by electromagnetic means or an equally effective locating method, as required by state law.

B. Minimum Construction Requirements.

All new or fully replaced water, sanitary sewer, or storm sewer service laterals shall include:

1. **Tracer wire**, detectable marking tape, or other continuous conductive material installed along the full length of the lateral;
2. **Proper termination of tracer wire** at the main connection point and at a surface-accessible location;
3. **Materials and installation methods** compliant with the Illinois Underground Utility Facilities Damage Prevention Act and any applicable technical standards adopted by the City.

Sec. 13.04.170. Secondary water taps and meters.

- A. Upon the submission of an application for water service as otherwise provided for in this chapter, secondary water service taps and meters ~~shall be available for only single-family residential and commercial properties.~~ may be purchased and installed, dependent upon availability and the below conditions being met.
- B. Secondary water service taps and meters shall be installed only if all of the following requirements are met:
 - ~~1. The applicant has a past water service billing history with the City for at least one (1) year at the same address as being applied for the secondary water tap and meter.~~
 1. The applicant is in good standing with the City on all water and sewer accounts in their name wheresoever the property is located.
 2. All water and sewer accounts at the location of the secondary water tap and meter are in good standing with the City.
 3. The applicant has paid in advance all installation, secondary deposits and any other associated costs and separate deposits associated with the secondary water tap and meter.
- C. Water provided pursuant to this section shall be used exclusively outside of the ~~residential or commercial improvement~~ primary structure and exclusively on the applicant's property where the secondary water tap and meter are located.
- D. Installation of the secondary water tap and meter shall be by the City with the effective date of the service being the date of the installation of the meter. The secondary water tap and ~~meter~~ meter shall be installed outside the ~~premises of the residential and commercial property owner~~ primary structure and shall not be ~~used for~~ discharged to the sanitary sewer systems.
- E. Secondary water service meters shall have a separate billing account from the primary water meter, but shall have the same billing cycle as the primary water meter.
- F. Except for the readiness-to-service charge as otherwise provided for in this chapter, no sanitary sewer charges shall be applied to the secondary water meter account.
- G. Water usage rates for the secondary water service shall be as set forth in Title 4.

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- H. No credit or discount adjustments shall be made by the City for leaks or unwanted water usage in relation to the secondary water service tap and meter.
- I. If, in the opinion of the City, it is no longer in its best interest to allow secondary water service taps and meters, then the services provided for by this section may be terminated or prohibited without further notice to customers and applicants. Any appropriate credit or refunds owed to existing secondary water service customers shall be made by the City, but shall not include reimbursement of any tap-on fees or installation costs.
- J. Any usage of water not permitted by this chapter, or any other violation of this chapter, shall result in the termination of the secondary water service tap and meter.
- K. Any person, firm or corporation who shall be found guilty of violating any provision of this section shall, for each offense, be ~~fin~~~~ed a sum of not more than seven hundred fifty dollars (\$750.00).~~subject to the fines established in Title 4 – Fees and Fines.
- L. Any person, firm or corporation who shall be found guilty of violating any provision of this chapter for a second time or more offense, shall, ~~for each offense, be fined a sum of not less than seven hundred fifty dollars (\$750.00).~~ be subject to the fines established in Title 4 – Fees and Fines.

Sec. 13.04.180. ~~Procedure when meter fails to register correctly~~Reserved.

Sec. 13.04.190. ~~Defective meters to be tested by city~~Reserved.

~~In the event any consumer has reason to believe that his~~Sec. 13.04.200. Changing of location by consumer.

In the event a consumer makes application for service in a new location, no ~~permit~~service request shall ~~issue~~be accepted for such new location until all delinquent bills for such service in the former location occupied by him have been paid, and unless the owner of the premises to which such consumer desires a permit assumes and guarantees payment for any such service in such location the customer have been paid.

Sec. 13.04.210. ~~Deposit to be returned when~~Reserved.

~~Any deposit made by an applicant for service shall not be credited to his account, but shall remain intact as a deposit or security and, if all bills have been paid in full upon the termination of such service, shall be returned to him, without interest.~~

Sec. 13.04.220. Turning of water into service pipes.

The water will not be turned into any service pipe, except on the order of the Director of the combined system. This rule shall not be construed to prevent plumbers admitting the water to test pipes, and for that purpose only.

Sec. 13.04.230. Customers responsible for service pipes, tiles, drains and fixtures; ~~city~~City to have right of entry for inspection.

Customers using the water system are responsible for keeping the service pipes, tiles, drains, and all fixtures in good repair and protected from frost, at their own expense, and to prevent all unnecessary waste of water. Failure to comply will result in the City ~~shutting off~~disconnecting the water as provided in Section 13.04.020. The City shall be authorized to enter and have free access at all reasonable hours to any premises to ascertain the location and condition of all pipes and fixtures, and in case it finds that water is wasted, or such pipes and fixtures are in want of repairs or proper upkeep, a notice in writing shall be left on the premises. If necessary repairs are

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not made within twenty-four (24) hours thereafter, the water shall be ~~shut off~~disconnected as provided in Section 13.04.020.

Sec. 13.04.240. Use of hydrants, ~~fireplugs~~ and fixtures connecting with water mains.

No person, except the Director and the Chief of the Fire Department, shall take water from any public or private hydrant, ~~fireplug~~ or other fixture connecting with the water mains, except for fire purposes or for the use of the Fire Department in case of fire; nor in any way take or use water for private use unless such person first makes application to the Director and complies with the rules laid down.

Sec. 13.04.250. Unlawful interference with water service.

Any person who, with intent to defraud or injure the City, injures, alters, obstructs, tampers with, or prevents the action of any water meter or line, or causes, procures, aids or abets the injuring, alteration, obstruction, tampering with, or prevention of action of any water meter or line, or makes or causes to be made, with any water pipe, any connection so as to conduct a supply of water that may be consumed or used without passing through or being registered by any meter is guilty of a violation of this Code and subject to the penalty provisions of Sections 1.16.010 and 1.16.020.

Sec. 13.04.260. Water rates—~~General users'~~Readiness to serve fee.

- A. Water usage fees shall be based upon periodic meter readings for each water account and shall be as established in Title 4.
- B. General Users' fees shall be based upon a fixed fee for readiness to serve based upon the user's meter size plus a rate per gallon of water used based upon periodic meter readings. ~~Consumers (users) out of the corporate limits shall pay a rate per gallon one and one-half (1½) times the rate for in-city users, as provided for in Title 4 of the Code of Ordinances of the City.~~

~~Sec. 13.04.270. Same—Readiness-to-service charge.~~

- C. The monthly readiness-to-service charge represents the fixed cost to the City for having water available to customers and does not reflect a rental charge for the use of the meters. Such readiness charge is as established in Title 4. The readiness-to-serve charge shall be the same rate for either corporate or out-of-city customers.

Sec. 13.04. ~~280. Water usage fees~~ 270. Reserved.**Sec. 13.04.280. Reserved.****Sec. 13.04.290. Tap fees.**

- A. Tap fees shall be charged as provided for in ~~amounts set by the City Council~~Title 4.
- B. Fees for making taps, as provided for in Subsection A of this section, for new services or restoring existing services shall be as ~~established~~provided for in Title 4.

Sec. 13.04.300. ~~Account deposits.~~ Reserved.

- A. ~~Customers opening new water accounts shall make a deposit, as provided for in Sections 13.04.080 and 13.04.090, with the City in the amount established in Title 4.~~

~~as provided for in Section 13.04.210.~~

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Sec. 13.04.310. ~~Other user fees and charges.~~ Reserved.

~~The following fees and service charges are established:~~

~~A. — Service fees and charges. Service fees and charges for the following services shall be as provided in Title 4:~~

- ~~1. — To re-establish service after cut-off due to failure of payment.~~
- ~~2. — Service charge to test meters. Service fee to establish new accounts.~~
- ~~4. — Service charge for after hour call-out of personnel.~~

~~B. — Interest shall be charged at the rate of ten (10) percent on delinquent accounts or other charges at the time the account is fifteen (15) days delinquent.~~

~~C. — Service fees on bad checks. Service fees on bad checks shall be as established in Title 4.~~

Sec. 13.04.320. Groundwater control and usage.

A. *User.* Any person's use, or attempt to use, as a potable water supply groundwater from within the corporate boundaries of the City of Collinsville by the installation or drilling of wells, or by any other method is hereby prohibited, except at points of withdrawal by the City of Collinsville and the Village of Troy.

B. *Definitions.*

Person means any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns. "Person" shall specifically not include the City of Collinsville.

Potable water means any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing foods.

Chapter 13.06 GROUNDWATER PROTECTION**Sec. 13.06.010. Title.**

This chapter shall be hereinafter known as the "Groundwater Protection ~~Ordinance,~~ ~~may be cited as such,~~ ~~and will be hereinafter known as "this ordinance~~ Code."

Sec. 13.06.020. ~~Findings~~ Reserved.

~~The City of Collinsville finds that:~~

~~WHEREAS, the continued availability of a natural, uncontaminated supply of water is an important and vital resource benefiting the residents of the City of Collinsville; and~~

~~WHEREAS, it is in the best interest of the present and future residents of the City of Collinsville, both economically and in regard to health, that steps be taken to reduce the risk of contamination to the water supply; and~~

~~WHEREAS, restricting the number of future potential sources of contamination to the water supply of the City of Collinsville, pursuant to the guidelines established by this ordinance and the Illinois Groundwater Protection Act, is a reasonable means by which to attempt to provide for a continued unpolluted source of water for the residents of the City of Collinsville and surrounding areas; and~~

~~NOW, THEREFORE, BE IT ORDAINED by the City of Collinsville, Counties of Madison and St. Clair, State of Illinois:~~

Sec. 13.06.030. Purpose and intent.

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- A. Purpose. In the interest of securing and promoting the public health, safety, and welfare, to preserve the quality and quantity of groundwater resources in order to assure a safe and adequate water supply for the present and future generations, and to protect and preserve groundwater resources currently in use and those aquifers having a potential for future use as a public water supply, the provisions of this ordinance shall apply to all properties located within the City of Collinsville. This Ordinance establishes regulations for land uses within the Groundwater Protection Area for: inspection and monitoring standards for new regulated substance facilities; upgrading and maintenance of existing facilities; uniform standards for release reporting; emergency response; substance management planning; permit procedures; and enforcement.
- B. Intent. It is the intent of this ordinance to provide a method:
 - 1. To protect the groundwater resources of the City of Collinsville and the surrounding area.
 - 2. To provide a means of regulating land uses within the Groundwater Protection Areas.
 - 3. To protect the City of Collinsville's drinking water supply and that of the surrounding area from potential impacts by facilities that store, handle, treat, use or produce substances that pose a hazard to groundwater quality.

Sec. 13.06.040. Reserved. ~~Except as stated in this ordinance, and unless a different meaning of a word or term is clear from the context, the definitions of words or terms in this ordinance shall be the same as those used in the Illinois Environmental Protection Act (415 ILCS 5/14 et seq.), as amended from time to time.~~

~~publically~~

~~Person means any person, individual, public or private corporation, firm, association, joint venture, partnership, municipality, governmental agency, political subdivision, public officer, owner, lessee, tenant, or any other entity whatsoever or any combination of such, jointly or severally.~~

~~Potable water means water that is satisfactory for drinking, culinary and domestic purposes meeting currently accepted water supply practices and principals.~~

Sec. 13.06.050. Establishment of setback zones.

- A. Minimum Setback Zones are hereby established as set forth in Exhibit 2, as that area within a four-hundred-foot (one-hundred-twenty-two-meter) radius of each existing or permitted community water supply well within the City or within four hundred (400) feet (one hundred twenty-two (122) meters) of the limits of the City.
- B. Maximum setback zones are hereby established as set forth in Exhibit 2, as that area within a regular or irregularly shaped one thousand (1,000) feet (three hundred five (305) meters) radius of each existing or permitted community water supply well within the City or within one thousand (1,000) feet (three hundred five (305) meters) of the City limits of the City.
- C. Five-year capture zones are hereby established as set forth in Exhibit 2, which incorporates and adopts the recharge areas identified by the latest edition of the Environmental Protection Agency fact sheet.

Sec. 13.06.060. Applicability.

- A. Persons who own and/or operate one (1) or more facilities in a GWPA shall comply with this ordinance. This obligation shall be joint and several.
- B. All facilities within a GWPA must comply with this ordinance prior to issuance of any underlying permits. Existing facilities which are not applying for an underlying permit shall have one (1) year from the effective date of this ordinance.
- C. If the City determines that a facility otherwise exempt from the permit requirements of this ordinance has a potential to degrade groundwater quality, then the City may classify that facility as a new potential primary source, a potential route or potential secondary source, and require that facility to comply with this

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ordinance accordingly. Such determination shall be based upon site-specific data and shall be eligible for appeal pursuant to Section 13.06.170 of this chapter.

D. The following are exempt from the permit requirement of this ordinance:

1. The storage and handling of regulated substances for resale in their original, unopened containers of five (5) gallons (nineteen (19) liters) or forty (40) pounds (eighteen (18) kilograms) or less shall be exempt from the permit requirements of this ordinance.
2. De minimus usage of regulated substances: facilities that use, store, or handle regulated substances in quantities of five (5) gallons (nineteen (19) liters) or forty (40) pounds (eighteen (18) kilograms) or less of any one regulated substance, and in aggregate quantities of twenty (20) gallons (seventy-six (76) liters) or one hundred (100) pounds (forty-five (45) kilograms) or less of all regulated substances shall be exempt from the permit requirements of this ordinance.
3. Single-family residences provided that no home business is operated on the premises.
4. Public interest emergency use and storage of regulated substances.
5. Regulated substances used by or for the City in water or wastewater treatment processes.
6. Fueling of equipment not licensed for street use, provided that such fueling activities are conducted in a containment area that is designed and maintained to prevent leakage or other violations of this ordinance.

E. The following are exempt from this ordinance:

1. Fuel tanks and fluid reservoirs attached to a private or commercial motor vehicle and used directly in the operation of that vehicle.
2. Existing heating systems using fuel oil.
3. The activities of construction, repairing or maintaining any facility or improvement of lands within zones 1, 2 or 3 provided that all contractors, subcontractors, laborers, material men and their employees when using, handling, storing or producing regulated substances in zones 1, 2 or 3 use the applicable "best management practices" set forth in Exhibit 3, attached hereto and incorporated herein.
4. Cleanups, monitoring and/or studies undertaken under supervision of the agency or other state regulatory agency or the United States Environmental Protection Agency.
5. Activities specifically regulated under 35 Ill. Adm. Codes 601.615, 616 and 617 (regulations for existing and new activities within setback zones and regulated recharge areas); 8 Ill. Adm. Codes 255 and 256 (regulations for secondary containment for agricultural pesticide and fertilizer facilities); and 8 Ill. Adm. Code 257 (cooperative groundwater protection program for agricultural chemical facilities within appropriate setback zones).
6. If the owner of a new potential primary source, new potential secondary source or new potential route is granted an exception by the board (other than land filling or land treating) pursuant to the Act, such owner shall not be subject to this ordinance to the same extent that such owner is not subject to the Act.
7. If the owner of a new potential primary source, new potential secondary source or new potential route is issued a certificate of minimal hazard by the agency pursuant to the Act, such owner shall not be subject to this ordinance to the same extent that such owner is not subject to the Act.

F. Any action by the agency or board referred to in this section shall not be final and binding on the City under this ordinance until the City receives notice of such proposed action and has had reasonable opportunity to present evidence concerning its interest.

Sec. 13.06.070. Operating permits and permit conditions.

A. General Conditions:

1. No person, persons, corporation or other legal entities shall install or operate a facility in a GWPA without first obtaining a groundwater protection operating permit from the City.
2. The focus of review for all permits shall be on the substances that will be stored, handled, treated, used or produced and the potential for these substances to degrade groundwater quality.
3. All permits required pursuant to this ordinance must be issued prior to or concurrent with the issuance of permits for construction activities or underlying permits.
4. The City shall not issue an operating permit for a facility unless adequate plans, specifications, test data, and/or other appropriate information has been submitted by the owner and/or operator showing that the proposed design and construction of the facility meets the intent and provisions of this ordinance and will not impact the short term, long term or cumulative quantity or quality of groundwater.
5. The application for the operating permit pursuant to this ordinance shall be made on a form provided by the City of Collinsville, Illinois.
6. Any person who owns or operates more than one (1) facility in a single zone of the GWPA shall have the option of obtaining one (1) permit for all operations if the operations at each facility are similar and the permit requirements under this ordinance are applicable to each facility individually.
7. An operating permit issued by the City shall be effective for 1 year. The City shall not issue a permit to operate a facility until the City determines that the facility complies with the provisions of these regulations.
8. This facility owner shall apply to the City of Collinsville for the permit renewal at least 60 days prior to the expiration of the permit. If an inspection of the facility reveals noncompliance, then the City must verify by a follow-up inspection that all required corrections have been implemented before renewing the permit.
9. Operating permits may be transferred to a new owner/operator if the new facility owner/operator does not change any conditions of the permit, the transfer is registered with the City of Collinsville within thirty (30) days of the change of ownership, and any necessary modifications are made to the information in the initial permit application due to the change in ownership.
10. Within thirty (30) days of receiving an inspection report from the City of Collinsville, the operating permit holder shall file with the City of Collinsville a plan and a time schedule to implement any required modifications to the facility or to the monitoring plan needed to achieve compliance with the intent of this ordinance or the permit conditions. This plan and time schedule shall also implement all of the recommendations of the City.

B. Permit Applications.

1. The operating permit application shall include at a minimum:
 - a. Name, Address and telephone number of the owner/operator.
 - b. Property address, legal description and tax identification number of the facility.
 - c. The names and volumes of all regulated substances that are stored, handled, treated, used or produced at the facility being permitted in quantities greater than the de minimus amounts specified at the facility in Section 13.06.060 of this ordinance; and copies of all leases pertaining to the facility.

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- d. A detailed description of the activities conducted at the facility that involve the storage, handling, treatment, use or production of regulated substances in quantities greater than the de minimus amounts specified in Section 13.06.060 of this ordinance.
 - e. A description of the containment devices used to comply with the requirements of this ordinance.
 - f. A regulated substance management plan for the facility.
 - g. A description of the procedures for inspection and maintenance of containment devices.
 - h. A description of the method for disposal of regulated substances.
 - i. Ten (10) copies of a site plan showing the location of the facility and its property boundaries and locations where regulated substances in containers larger than five (5) gallons (nineteen (19) liters) or forty (40) pounds (eighteen (18) kilograms) in size are stored, handled, treated, used or produced, and the location of each containment device.
2. Conditions for GWPA permits issued to new facilities.
- a. Containment devices.
 - (1) The owner/operator of a facility must provide containment devices adequate in size to contain on site any unauthorized release of regulated substances from any area where these substances are either stored, handled, treated, used or produced. Containment devices shall prevent such substances from penetrating into the ground. Design requirements for containment devices include:
 - (a) The containment device shall be large enough to contain one hundred ten (110) percent of the volume of the container in cases where a single container is used to store, handle, treat use or produce a regulated substance. In cases where multiple containers are used, the containment device shall be large enough to contain one hundred fifty (150) percent of the volume of all containers, whichever is greater.
 - (b) All containment devices shall be constructed of materials of sufficient thickness, density and composition to prevent structural weakening of the containment device as a result of contact with any regulated substance. If coatings are used to provide chemical resistance for containment devices, they shall also be resistant to the expected abrasion and impact conditions. Containment devices shall be capable of containing any unauthorized release for at least the maximum anticipated period sufficient to allow detection and removal of the release.
 - (c) If the containment device is open to rainfall, then it shall be able to accommodate the volume of precipitation that could enter the containment device during a twenty-four-hour, 100-year storm in addition to the volume of the regulated substance storage required in Subsection 1(a) above.
 - (d) Containment devices shall be constructed so that a collection system can be installed to accumulate, temporarily store, permit detection of the presence of and permit removal of any storm runoff or regulated substance.
 - (e) Containment devices shall include monitoring procedures or technology capable of detecting the presence of a regulated substance within twenty-four (24) hours following a release.

b. Regulated Substances Management Plan.

- (1) A regulated substances management plan indicating procedures to be followed to prevent, control, collect and dispose of any unauthorized release of a regulated substance shall be required as a condition of each operating permit. If a spill prevention control plan or similar contingency plan has been prepared in accordance with the agency or United States Environmental Protection Agency requirements, a regulated substance management plan is not required as long as all of the regulated substances are included in the spill prevention control plan.
- (2) The regulated substances management plan shall include:
 - (a) Provisions to address regulated substances monitoring requirements.
 - (b) Provisions to train employees in the prevention, identification, reporting, control, disposal and documentation of any unauthorized release of a regulated substance.
- (3) The owner or operator of all new facilities shall implement regulated substances monitoring as part of the regulated substances management plan required by Section 13.06.150 of this ordinance. Visual monitoring must be implemented unless it is determined by the City to not be feasible.
- (4) All regulated substance monitoring activities shall include the following:
 - (a) A written routine monitoring activities which includes, when applicable, the frequency of performing the monitoring method, the methods and equipment to be used for performing the monitoring, the location(s) from which the monitoring will be performed, the name(s) or title(s) of the person(s) responsible for performing the monitoring and/or maintaining the equipment and the reporting format.
 - (b) Written records of all monitoring performed shall be maintained on site by the operator for a period of three (3) years from the date the monitoring was performed. The City may require the submittal of the monitoring records or a summary at a frequency that the City may establish. The written records of all monitoring performed in the past three (3) years shall be shown to the City upon demand during any site inspection. Monitoring records shall include but not be limited to:
 - (i) The date and time of all monitoring or sampling;
 - (ii) Monitoring equipment calibration and maintenance records;
 - (iii) The results of any visual observations;
 - (iv) The logs of all readings of gauges or other monitoring equipment or other test results; and
 - (v) The results of inventory readings and reconciliations.
- (5) Procedure for in-house inspection and maintenance of containment devices and areas where regulated substances are stored, handled, treated, used and produced shall be identified in the operating permit for each facility. Such procedures shall be in writing and a log shall be kept of all inspection and maintenance activities. Such logs shall be submitted to the City with the renewal applications available for inspection at other

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times upon forty-eight hours' notice. Inspection and maintenance logs shall be maintained on site by the owner or operator for a period of three (3) years from the date the monitoring was performed.

- c. Reporting. The permittee shall report to the City fifteen (15) days after any changes in a facility including:
 - 1. The storage, handling, treatment, use or processing of new regulated substances;
 - 2. Changes in monitoring procedures; or
 - 3. The replacement or repair of any part of a facility that is related to the regulated substance(s).

Sec. 13.06.080. Groundwater protection overlay zones.

- A. The location of GWPAs in the City are defined in Exhibit 2 to this ordinance. GWPA maps shall be placed on file with the Department of Zoning, Building and Public Works and the City of Collinsville Fire Department.
- B. In determining the location of facilities within the zones defined in Exhibit 2, the following rules shall apply:
 - 1. Facilities located wholly within a GWPA zone shall be governed by the restrictions applicable to that zone.
 - 2. Facilities having parts lying within more than one (1) zone of a GWPA shall be governed by the restrictions applicable to the more restrictive code.
 - 3. Facilities having parts lying both in and out of a GWPA shall be governed by the restrictions applicable to the more restrictive zone.

Sec. 13.06.090. Regulations which apply within the minimum setback zone (Zone 1) of the GWPA.

- A. Prohibited Uses and Activities.
 - 1. Except as provided in Section 13.06.060, no person shall place a new potential primary source, new potential secondary source or new potential route within the minimum setback zone(s) of any existing or permitted community water supply well in the City or within four hundred (400) feet (one hundred twenty-two (122) meters) of the City limits of the City.
 - 2. Except as provided in Section 13.06.060, no person shall alter or change an existing potential primary source, potential secondary source or potential route where the alteration or change would result in a potential source or route that would be prohibited under this ordinance if it were a new potential source or route.
 - 3. No person shall conduct any activity or engage in a use of property which shall constitute an interference with the health and safety or welfare of a community water supply well. Such activities are declared to be a public nuisance and are prohibited by this ordinance.
- B. Review and Approval of Proposed Activities.
 - 1. All proposals for new facilities which use, store, handle, treat or produce a regulated substance within the minimum setback zone (Zone 1) must be reviewed by the City for compliance with this ordinance including obtaining a groundwater protection permit pursuant to this ordinance, prior to issuance of any underlying permit.
 - 2. No groundwater operating permit shall be issued unless a finding is made by the City that the proposal will not impact the long term, short term or cumulative quality of the aquifer. The finding shall be

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based upon the present or past land use activities conducted at the facility; regulated substances stored, handled, treated, used or produced; and the potential for the activities or regulated substances to degrade groundwater quality.

3. New sources of sanitary ~~sewerage~~sewer (residential and non-residential) shall, as a condition of the building permit, be required to connect to an agency permitted central sanitary sewer system prior to occupancy.

Sec. 13.06.100. Regulations which apply within the maximum setback zone (Zone 2) of the GWPA.

A. Prohibited Uses and Activities.

1. Except as provided in Section 13.06.060, no person shall place a new potential primary source within the maximum setback zone(s) of any existing or permitted community water supply well in the City or within one thousand (1,000) feet (three hundred five (305) meters) of the City limits of the City.
2. Except as provided in Section 13.06.060, no person shall alter or change an existing potential primary source where the alteration or change would result in a potential source or route that be prohibited under this ordinance if it were a new potential source or route.
3. No person shall conduct any activity or engage in a use of property which shall constitute an interference with the health and safety or welfare of a community water supply well or other water well by the accidental, negligent or intentional introduction of contaminants. Such activities are declared to be a public nuisance and are prohibited by this ordinance.

B. Review and Approval of Proposed Activities.

1. All proposals for new facilities which use, store, handle, treat or produce a regulated substance within the maximum setback zone (Zone 2) must be reviewed by the City for compliance with this ordinance including obtaining a groundwater protection permit pursuant to this ordinance prior to issuance of any underlying permit.
2. No groundwater operating permit shall be issued unless a finding is made by the City that the proposal will not impact the long term, short term or cumulative quality of the aquifer. The finding shall be based upon the present or past land use activities conducted at the facility; regulated substances store, handled, treated, used or produced; and the potential for the activities or regulated substances to degrade groundwater quality.
3. New sources of sanitary ~~sewerage~~sewer (residential and non-residential) shall, as a condition of the building permit, be required to connect to an agency permitted central sewer system prior to occupancy.

Sec. 13.06.110. Regulations which apply within the five-year capture zone (Zone 3) of the GWPA.

A. Review and Approval of Proposed Activities.

1. All proposals for new facilities which use, store, handle, treat or produce a regulated substance within the five-year capture zone (Zone 3) must be reviewed by the City for compliance with this ordinance including obtaining a groundwater protection permit pursuant to this ordinance, prior to issuance of any underlying permit.
2. No groundwater operating permit shall be issued unless a finding is made by the City that the proposal will not impact long term, short term, or cumulative quality of the aquifer. The findings shall be based upon the present and past land use activities conducted at the facility; regulated substances stored,

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handled, treated, used or produced; and the potential for the activities or regulated substances to degrade groundwater quality.

3. New sources of sanitary ~~sewerage~~sewer (residential and non-residential) shall, as a condition of the building permit, be required to connect to an agency permitted central sanitary sewer system prior to occupancy.

Sec. 13.06.120. Unauthorized releases.

- A. General Provisions. All unauthorized releases shall be reported to the City according to the provisions of this section. All unauthorized releases shall be in the owner's inspection and maintenance log. An unauthorized release is an "unauthorized release requiring recording" if the release is completely captured by the containment device. If the containment device fails to contain the entire release, the release is an "unauthorized release requiring reporting".
- B. Unauthorized Releases Requiring Reporting.
 1. Unauthorized releases requiring recording shall be reported to the City within twenty-four (24) hours after the release has been or should have been detected.
 2. The incident report shall be accompanied by a written record including the following information:
 - a. The type, quantities and concentration of regulated substance released.
 - b. Method of cleanup.
 - c. Method and location of disposal of the released regulated substance including whether a hazardous waste manifest(s) is used.
 - d. Methods of future release prevention or repair. If this involves a change in operation, monitoring or management, the owner must apply for a new operating permit.
 - e. Facility operator's name and telephone number.
 3. The City shall review the information submitted pursuant to the report of an unauthorized release requiring recording, shall review the operating permit and may inspect the facility. The City shall either find that the containment standards of this ordinance can continue to be achieved or shall recommend revocation of the permit until appropriate modifications are made to allow compliance with the standards.
- C. Unauthorized Releases Requiring Reporting.
 1. Unauthorized releases requiring reporting shall be verbally reported to the City immediately.
 2. A written report shall be submitted promptly thereafter containing the following information that is known at the time of filing the report:
 - a. List of type, quantity and concentration of regulated substances released.
 - b. The results of all investigations completed at that time to determine the extent of the soil or groundwater or surface water contaminations because of the release.
 - c. Method of cleanup implemented to date, proposed cleanup actions and approximate cost of actions taken to date.
 - d. Method and location of disposal of the released regulated substance and any contaminated soils, groundwater or surface water.
 - e. Proposed method of repair or replacement of the containment device.
 - f. Facility owner's name and telephone number.
 3. Until cleanup is complete, the owner shall submit reports containing the reporting required by Section 13.06.070 to the City every month or at a more frequent interval specified by the City.

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4. The City shall either find the containment standards of this ordinance can continue to be achieved or shall recommend the revocation of the permit until appropriate modifications are made to allow compliance with the standard.
- D. Upon confirmation of an unauthorized release to groundwater, the owner shall be responsible for immediately accomplishing the following:
 1. Locate and determine the source of the unauthorized release of the regulated substance(s).
 2. Stop and prevent any further unauthorized release(s).
 3. Comply with the requirements for an unauthorized release(s) requiring reporting.
- E. No new regulated substance(s) may be introduced at the site of the regulated substance(s) that caused the violation.
- F. If an unauthorized release creates or is expected to create an emergency situation with respect to the drinking water supply of the City or a public water supply well within one thousand (1,000) feet (three hundred five (305) meters) of the City, and if the facility owner fails to address the unauthorized release within twelve (12) hours, the City or its authorized agents shall have the authority to implement removal or remedial actions. Such actions may include but not limited to the prevention of further groundwater contamination; installation of groundwater monitoring wells; collection and laboratory testing of the water, soil and waste samples, and cleanup and disposal of regulated substances. The facility owner and operator jointly and severally shall be responsible for any costs incurred by the City or its authorized agents in the conduct of such remedial actions including, but not limited to, all consultant, engineering and attorney fees.
- G. Reporting a release to the City does not exempt or preempt any other reporting requirements under federal, state or local laws.

Sec. 13.06.130. Closure permits and permit conditions.

- A. No person shall close or cause to be closed a facility regulated pursuant to this ordinance without first obtaining a closure permit from the City. The City shall not issue a permit to temporarily or permanently close a facility unless adequate plans and specifications and other appropriate information have been submitted by the applicant showing that the proposed closure meets the intent and provisions of this ordinance.
- B. Closure permits shall be required for all facilities that cease to store, handle, treat, use or produce regulated substances for a period of more than three hundred sixty-five (365) days or when the owner has no intent within the next year to store, handle, treat, use or produce regulated substances. During the period of time between cessation of regulated substance storage, handling, treatment, use or production and actual completion of facility closure, the applicable containment and monitoring requirements of this ordinance shall continue to apply.
- C. Prior to closure, the facility owner shall submit to the City a proposal describing how the owner intends to comply with closure requirements. Owners proposing to close a facility shall comply with the following requirements.
 1. Regulated substances shall be removed from the facility including residual liquids, solids or sludges to levels specified by the agency.
 2. When a containment device is to be disposed of, the owner must document to the City that disposal has been completed in compliance with the Act.
 3. An owner of a containment device or any part of a containment device that is destined for reuse as scrap material shall identify this reuse to the City.
- D. The owner of a facility being closed shall demonstrate to the satisfaction of the City that no detectable unauthorized release has occurred or that all unauthorized releases have been cleaned up. This

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demonstration can be based upon the ongoing leak detection monitoring or soil sampling performed during or immediately after closure activities.

- E. If an unauthorized release is determined to have occurred, the facility owner shall comply with Section 13.06.120 of this ordinance.
- F. Facility closure will be accepted as complete by the City upon implementation of the closure permit conditions and compliance with all other provisions of this ordinance.
- G. No person shall temporarily or permanently abandon a facility in a GWPA without complying with the requirements of this ordinance.
- H. The application for a closure permit pursuant to this ordinance shall be made on a form provided by the City.
- I. Any person who owns or operates more than one (1) facility in a single zone of the GWPA shall have the option of obtaining one (1) permit for all simultaneous closures if the operations at each facility are similar and the permit requirements under this ordinance are applicable to each facility individually.

Sec. 13.06.140. Penalties.

- A. A violation of any of the provisions of this ordinance shall constitute a misdemeanor and a nuisance. It shall be a separate offence for each and every day or portion thereof during which any violation of any provisions of this ordinance is committed, continued or permitted.
- B. Any owner or operator who violates any provisions of this ordinance shall be fined ~~a sum not to exceed seven hundred fifty dollars (\$750.00) per offense~~ in accordance with the fees established in Title 4 of the Code of Ordinances of the City.
- C. In addition to any fines and penalties set forth above, the owner or operator shall reimburse the City for all reasonable costs incurred as a result of responding to, containing, cleaning up or monitoring the cleanup and disposal of any spilled or leaked regulated substance including, but limited to, consultant, engineering and legal fees.

Sec. 13.06.150. Enforcement.

- A. The City shall be the administering agency and shall have the power and authority to administer and enforce the provisions of this ordinance. The City shall have the right to conduct inspections of facilities at reasonable times to determine compliance with this ordinance.
- B. The City may revoke any permit issued pursuant to this ordinance after notice to the permittee and after affording the permittee an opportunity to meet in person or by telephone if it finds that the permit holder:
 - 1. Has failed or refused to comply with any provisions of this ordinance;
 - 2. Has submitted false or inaccurate information in a permit application;
 - 3. Has refused lawful inspections;
 - 4. Has an unauthorized release and the City finds that the containment standards of this ordinance cannot continue to be achieved.

Sec. 13.06.160. Notice of violation.

Whenever it is determined that there is a violation of this ordinance, the notice of violation issue shall:

- A. Be in writing and delivered to the owner or operator by regular mail;
- B. Be dated and signed by the authorized City agent making the inspection;
- C. Specify the violation or violations; and

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- D. Specify the length of time (not less than seventy-two (72) hours) to correct the violation after receiving the notice of violation.

Sec. 13.06.170. Appeals.

The Mayor shall appoint, subject to City Council approval, a Groundwater Appeals Committee. Said committee shall consist of the Fire Chief, ~~Water-Department~~ Director of Public Works, Community Development Director, ~~Zoning Administrator~~ and ~~Code Compliance Officer~~. Utilities Superintendent.

- A. Any decision by an agent or employee of the City under this ordinance may be appealed to the Groundwater Appeals Committee.
- B. The Groundwater Appeals Committee shall hold a public hearing on every appeal within a reasonable time after filing of the appeal notice. At the hearing, any interested party may appear and testify, either in person or by duly authorized agent or attorney. Notice indicating the time, date and place of the hearing shall be given not more than thirty (30) nor less than fifteen (15) days before the hearing:
 - 1. By first-class mail to all parties directly affected by the appeal; or
 - 2. By publication in a newspaper of general circulation within the municipality
- C. The Groundwater Appeals Committee shall render a decision on the appeal within a reasonable time after the hearing. The Groundwater Appeals Committee may reverse or affirm, wholly or partly, or may modify or amend the decision appealed to the extent and in the manner that they deem appropriate. In doing so, the Groundwater Appeals Committee has all the powers of the administrator. The person(s) aggrieved may appeal the decision of the Groundwater Appeals Committee to the Hearing Officer. The Hearing Officer may, within thirty (30) days, reverse or affirm, wholly or partly, or modify or amend the decision of the Groundwater Appeals Committee or decision originally appealed from, to the extent and in the manner that it deems appropriate.
- D. The Groundwater Appeals Committee shall also hear petitions to exempt a facility from the requirements of Section 13.06.070 as follows:
 - 1. The applicant may demonstrate that the five-year capture zone area(s) map incorrectly identifies the facility as being within the groundwater protection overlay zone(s). The burden of proof shall rest upon the applicant to demonstrate that the facility location is not within the delineated five-year capture zone area. The applicant shall be required to present detailed hydro-geologic and hydrologic information to the Groundwater Appeals Committee that the facility location is, in fact, not within a five-year caption zone area.
 - 2. The applicant may be required to present detailed information that a material(s) on the regulated substance list does not endanger the GWPA in the event of an unauthorized release. To continue the permit process, the applicant shall provide fund to the Groundwater Appeals Committee's choice of consultant(s) of said hydro-geologic and hydrologic information and/or regulated substance information and shall base its recommendation, in part, on the report by said consultant(s).

~~13.06.180. Severability.~~

~~If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance, or any part thereof, or application thereof to any person, firm, corporation, public agency or circumstance, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity of effectiveness of the remaining portions of this ordinance or any part thereof. It is hereby declared to be the legislative intent of the City Council that this ordinance would have been adopted had such~~

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~~unconstitutional or invalid provision, clause, sentence, paragraph, section or part thereof had not then been included.~~

~~Sec. 13.06.190. Inconsistent ordinances repealed.~~

~~All other ordinances or parts of ordinances in conflict herewith, to the extent of such conflict, are hereby repealed.~~

~~13.06.200. Saving clause.~~

~~Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or causes of action acquired or existing under any act or ordinance hereby repealed as cited in Section 13.06.190 of this ordinance.~~

Chapter 13.07 GROUNDWATER PROTECTION AREAS

Sec. 13.07.010. Purpose.

Pursuant to the authority conferred by 65 ILCS 5/11-125-4 (2011), 415 ILCS 5/14.2, and 5/14.3 (2011); and in the interest of securing the public health, safety and welfare; to preserve the quality and quantity of groundwater resources in order to assure a safe and adequate water supply for present and future generations; and to preserve groundwater resources currently in use and those aquifers having a potential for future use as a public water supply, the provisions of this ordinance shall apply to all properties located within the minimum setback zone established under Section 14.2 of the Environmental Protection Act ("Act") (415 ILCS 5/14.2 (2011)) and this ordinance, and the maximum setback zone established under Section 14.3 of the Act (415 ILCS 5/14.3 (2011)) and this ordinance.

Sec. 13.07.020. Definitions.

~~Except as stated in this ordinance, and unless a different meaning of a word or term is clear from the context, the definition of words or terms in this ordinance shall be the same as those used in the Act and the Illinois Groundwater Protection Act (415 ILCS 55/1 (2011)):~~

~~Act means the Environmental Protection Act (415 ILCS 5/1 (2011)).~~

~~Agency means the Illinois Environmental Protection Agency.~~

~~Board means the Illinois Pollution Control Board.~~

~~Maximum setback zone means the area around a community water supply well established under Section 14.3 of the Act and this ordinance, and described in Appendix A.~~

~~Minimum setback zone means the area around a community water supply well established under Section 14.2 of the Act and this ordinance, and described in Appendix~~

~~A.~~ Reserved.

Sec. 13.07.030. Prohibitions.

- A. Except as provided in Sections 13.07.040 and 13.07.050, no person shall place a new potential primary source, new potential secondary source, or new potential route within the minimum setback zone.
- B. Except as provided otherwise in Section 13.07.040, no person shall place a new potential primary source within the maximum setback zone.

Sec. 13.07.040. Exceptions and certifications of minimal hazard.

- A. If, pursuant to Section 14.2(c) of the Act, the owner of a new potential primary source (other than landfilling or land treating), new potential secondary source, or new potential route is granted an exception by the board, such owner shall be deemed to have an exception to the same extent from Section 13.07.030(a) of this ordinance.
- B. If, pursuant to Section 14.2(c) of the Act, the owner of a new potential primary source (other than landfilling or land treating) is granted an exception by the board, such owner shall be deemed to have an exception to the same extent from Section 13.07.030(b) of this ordinance.
- C. If, pursuant to Section 14.5 of the Act, the owner of a new potential primary source, new potential secondary source, or new potential route is issued a certificate of minimal hazard by the agency, such owner shall not be subject to Section 13.07.030(a) of this ordinance to the same extent that such owner is not subject to Section 14.2(d) of the Act.

Sec. 13.07.050. Exclusion.

Section 13.07.030(a) of this ordinance shall not apply to new common sources of sanitary pollution as specified pursuant to Section 17 of the Act and the regulations adopted thereunder by the agency; however, no such common sources may be located within the applicable minimum distance from a community water supply well specified by such regulations.

Chapter 13.08 ~~FIREPLUGS~~ FIRE HYDRANTS**Sec. 13.08.010. Permit required.**

Any person, firm or corporation desiring a ~~fireplug~~ fire hydrant upon its property shall make application for permit to install ~~a fireplug~~ one upon its property to the City.

Sec. 13.08.020. Health and safety regulations conformance; installation to be at applicant's expense.

Any ~~fireplug~~ fire hydrant placed upon private property shall be installed at the sole cost and expense of the applicant, and in accordance with the rules and regulations of the Department of Public Works.

Sec. 13.08.030. Service charge.

Any person, firm or corporation having a ~~fireplug~~ fire hydrant upon its property in accordance with ~~Section 13.08.020 shall pay to~~ Title 4 of the Code of Ordinances of the City ~~a service charge as provided in Title 4.~~ .

Chapter 13.12 CROSS CONNECTIONS

Sec. 13.12.010. Purpose.

The purposes of this chapter include:

- A. To protect the public water supply system from contamination or pollution by isolating within the customer's water system contaminants or pollutants which could backflow through the service connection into the public water supply system;
- B. To promote the elimination or control of existing cross connections, actual or potential, between the public or consumer's potable water system and ~~nonpotable~~ non-potable water systems, plumbing fixtures and sources or systems containing substances of unknown or questionable safety;
- C. To provide for the maintenance of a continuing program of cross connection control which will prevent the contamination or pollution of the public and consumer's potable water systems.

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Sec. 13.12.020. Definitions.

The following definitions shall apply:

Agency means Illinois Environmental Protection Agency.

Approved backflow prevention device means meeting the standards of the Illinois Plumbing Code and the Illinois Environmental Protection Agency.

Auxiliary water system means any water source or system on or available to the premises other than the public water supply system and includes the water supplied by the system. These auxiliary waters may include water from another purveyor's public water supply system; or water from a source such as wells, lakes or streams, or process fluids, or used water. These waters may be polluted or contaminated or objectionable or constitute a water source or system over which the water purveyor does not have control.

Backflow means the flow of water or other liquids, mixtures, or substances into the distribution pipes of a potable water system from any source other than the intended source of the potable water supply.

Backflow prevention device means any device, method or type of construction intended to prevent backflow into a potable water system. All devices used for backflow prevention in Illinois must meet the standards of the Illinois Plumbing Code and the Illinois Environmental Protection Agency.

Consumer or *customer* means the owner, official custodian or person in control of any premises supplied by or in any manner connected to a public water system.

Consumer's water system means any water system located on the customer's premises. A building plumbing system is considered to be a customer's water system from the property line inward.

Contamination means an impairment of the quality of the water by entrance of any substance to a degree which could create a health hazard according to standards adopted by the Illinois Environmental Protection Agency.

Cross connection means any physical connection or arrangement between two (2) otherwise separate piping systems, one (1) of which contains potable water and the other a substance of unknown or questionable safety or quality, whereby there may be a flow from one system into the other.

Direct cross connection means a cross connection formed when a water system is physically joined to a source of unknown or unsafe substance.

Indirect cross connection means a cross connection through which an unknown substance can be forced, drawn by vacuum or otherwise introduced into a safe potable water system.

Double check valve assembly means an assembly composed of single, independently acting check valves approved under ASSE Standard 1015. A double check valve assembly must include tight shutoff valves located at each end of the assembly and suitable connections for testing the water-tightness of each check valve.

Fixed proper air gap means the unobstructed vertical distance through the free atmosphere between the water discharge point and the flood level rim of the receptacle.

Health hazard means any condition, device or practice in a water system or its operation resulting from a real or potential danger to the health and well-being of consumers. The word "severe" as used to qualify "health hazard" means a hazard to the health of the user that could be expected to result in death or significant reduction in the quality of life, according to standards adopted by the Illinois Environmental Protection Agency.

Inspection means a plumbing inspection to examine carefully and critically all materials, fixtures, piping and appurtenances, appliances and installations of a plumbing system for compliance with requirements of the Illinois Plumbing Code, 77 Ill. Adm. Code 890.

~~Nonpotable~~*Non-potable* water means water not safe for drinking, personal, or culinary use as determined by the requirements of 35 Ill. Adm. Code 604.

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Plumbing means the actual installation, repair, maintenance, alteration or extension of a plumbing system by any person. Plumbing includes all piping, fixtures, appurtenances and appliances for a supply of water for all purposes, including without limitation lawn sprinkler systems, from the source of a private water supply on the premises or from the main in the street, alley or at the curb to, within and about any building where a person lives, works or assembles. Plumbing includes all piping, from discharge of pumping units to and including pressure tanks in water supply systems. Plumbing includes all piping, fixtures, appurtenances, and appliances for a building drain and a sanitary drainage and related ventilation system of any building where a person lives, works or assembles from the point of connection of such building drain to the building sewer or private sewage disposal system five (5) feet beyond the foundation walls.

Pollution means the presence of any foreign substance (organic, inorganic, radiological or biological) in water that tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water.

Potable water means water which meets the requirements of 35 Ill. Adm. Code 604 for drinking, culinary, and domestic purposes.

Potential cross connection means a fixture or appurtenance with threaded hose connection, tapered spout, or other connection which would facilitate extension of the water supply line beyond its legal termination point.

Process fluid means any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, pollutional or system hazard if introduced into the public or a consumer's potable water system. This includes but is not limited to:

1. Polluted or contaminated waters;
2. Process waters;
3. Used waters originating from the public water supply system which may have deteriorated in sanitary quality;
4. Cooling waters;
5. Questionable or contaminated natural waters taken from wells, lakes, streams or irrigation systems;
6. Chemicals in solution or suspension;
7. Oils, gases, acids, alkalis and other liquid and gaseous fluids used in industrial or other processes, or for firefighting purposes.

Public water supply means all mains, pipes and structures through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treatment plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing water for drinking or general domestic use by the City water department.

Reduced pressure principle backflow prevention device means a device containing a minimum of two (2) independently acting check valves together with an automatically operated pressure differential relief valve located between the two (2) check valves and approved under ASSE Standard 1013. During normal flow and at the cessation of normal flow, the pressure between these two (2) checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check valves at less than supply pressure. The unit must include tightly closing shutoff valves located at each end of the device, and each device shall be fitted with properly located test cocks.

Service connection means the opening, including all fittings and appurtenances, at the water main through which water is supplied to the user.

Survey means the collection of information pertaining to a customer's piping system regarding the location of all connections to the public water supply system and must include the location, type and most recent

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inspection and testing date of all cross connection control devices and methods located within that customer's piping system. The survey must be in written form, and should not be an actual plumbing inspection.

System hazard means a condition through which an aesthetically objectionable or degrading material not dangerous to health may enter the public water supply system or a consumer's potable water system.

Used water means any water supplied by a public water supply system to a consumer's water system after it has passed through the service connection and is no longer under the control of the water supply official custodian.

Water purveyor means the City of Collinsville.

Sec. 13.12.030. Water systems.

- A. The water systems shall consist of two (2) parts, ~~being:~~ the City's water supply system extending to the customer's property line, and the ~~consumer's~~customer's water system extending from the customer's property line inward.
- B. The public water supply system shall consist of the source facilities and the distribution system, and shall include all those facilities of the potable water system under the control of the Director of ~~Water~~Public Works up to the point where the consumer's water system begins.
- C. The source shall include all components of the facilities utilized in the production, treatment, storage and delivery of water to the public water supply distribution system.
- D. The public water supply distribution system shall include the network of conduits used to deliver water from the source to the consumer's water system.
- E. The consumer's water system shall include all parts of the facilities from the consumer's property line inward to points of use.

Sec. 13.12.040. Surveys and investigations; right of entry.

The Director of ~~the Water Department~~Public Works or ~~his~~the authorized designee, or the Plumbing Inspector or ~~his~~the authorized designee, shall have the right of entry as provided in Section 1.12.010 to conduct such surveys or inspections as he/she deems necessary to discover or verify information relating to connections made to the City's water distribution system, including the discovery or verification of any violation of sections of this chapter.

Sec. 13.12.050. Where protection is required.

- A. An approved backflow device shall be installed on all connections to the public water supply as described in the Plumbing Code, 77 Ill. Adm. Code 890 and the agency's regulations 35 Ill. Adm. Code 680. In addition, an approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises, where in the judgment of the Director of ~~Water~~Public Works, actual or potential hazards to the public water supply system exist.
- B. An approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises where the following conditions exist:
 - 1. Premises having an auxiliary water supply, unless such auxiliary supply is accepted as an additional source by the Director of ~~Water~~Public Works and the source is approved by the ~~Illinois Environmental Protection~~ Agency;
 - 2. Premises on which any substance is handled which can create an actual or potential hazard to the public water supply system. This shall include premises having sources or systems containing process fluids or waters originating from the public water supply system which are no longer under the sanitary control of the Director of ~~Water~~Public Works;

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3. Premises having internal cross connections that, in the judgment of the Director of ~~Water~~Public Works and/or the Cross Connection Control Device Inspector, are not correctable or intricate plumbing arrangements which make it impractical to determine whether or not cross connections exist;
 4. Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross connection survey;
 5. Premises having a repeated history of cross connections being established or re-established.
- C. An approved backflow device shall be installed on all connections to the public water supply as described in the Plumbing Code, 77 Ill. Adm. Code 890 and the agency's regulations 35 Ill. Adm. Code 653. In addition, an approved backflow prevention device shall be installed on each service line to a consumer's water system serving, but not necessarily limited to, the following types of facilities unless the Director of ~~Water~~Public Works determines that no actual or potential hazard to the public water system exists:
1. Hospitals, mortuaries, clinics, nursing homes;
 2. Laboratories;
 3. Piers, docks, waterfront facilities;
 4. Sewage treatment plants, sewage pumping stations or stormwater pumping stations;
 5. Food or beverage processing plants;
 6. Chemical plants;
 7. Metal plating industries;
 8. Petroleum processing or storage plants;
 9. Radioactive material processing plants or nuclear reactors;
 10. Carwashes;
 11. Pesticide or herbicide or extermination plants and trucks;
 12. Farm service and fertilizer plants and trucks.

Sec. 13.12.060. Type of protection required.

- A. The type of protection required under Section 13.12.050 shall depend on the degree of hazard which exists as follows:
1. An approved fixed proper air gap separation shall be installed where the public water supply system may be contaminated with substances that could cause a severe health hazard.
 2. An approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention assembly shall be installed where the public water supply system may be contaminated with a substance that could cause a system or health hazard.
 3. An approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention assembly or a double check valve assembly shall be installed where the public water supply system may be polluted with substances that could cause a pollution hazard dangerous to health.
- B. The type of protection required under Section 13.12.050 shall be an approved fixed proper air gap separation or an approved reduced pressure principle backflow device.
- C. Where a public water supply or an auxiliary water supply is used for a fire protection system, reduced pressure principle backflow preventers shall be installed on fire safety systems connected to the public water supply when:
1. The fire safety system contains anti-freeze, fire retardant or other chemicals;

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2. Water is pumped into the system from another source; or
 3. Water flows by gravity from a non-potable source; or water can be pumped into the fire safety system from any other source;
 4. There is a connection whereby another source can be introduced into the fire safety system.
- D. All other fire safety systems connected to the potable water supply shall be protected by a double check valve assembly on metered service lines and a double detector check valve assembly on unmetered service lines.

Sec. 13.12.070. Backflow prevention devices.

- A. All backflow prevention devices or methods required by these rules and regulations shall be approved by the Research Foundation for Cross Connection Control of the University of Southern California, American Water Works Association, American Society of Sanitary Engineering, or American National Standards Institute or certified by the National Sanitation Foundation to be in compliance with applicable industry specifications.
- B. Installation of approved devices shall be made in accordance with the manufacturer's instructions. Maintenance as recommended by the manufacturer of the device shall be performed. Manufacturer's maintenance manual shall be available on site.

Sec. 13.12.080. Inspection and maintenance.

- A. It shall be the duty of the consumer at any premises on which backflow prevention devices required by these regulations are installed to have inspection, tests, maintenance and repair made in accordance with the following schedule or more often where inspections indicate a need or are specified in manufacturer's instructions.
1. Fixed proper air gap separations shall be inspected to document that a proper vertical distance is maintained between the discharge point of the service line and the flood level rim of the receptacle at the time of installation and at least annually thereafter. Corrections to improper or bypassed air gaps shall be made within twenty-four (24) hours.
 2. Double check valve assemblies shall be inspected and tested at time of installation and at least annually thereafter, and required service performed within five (5) days.
 3. Reduced pressure principle backflow prevention assemblies shall be tested at the time of installation and at least annually or more frequently if recommended by the manufacturer, and required service performed within five (5) days.
- B. Testing shall be performed by a person who has been approved by the ~~agency~~Agency as competent to service the device. Proof of approval shall be in writing.
- C. Each device shall have a tag attached listing the date of most recent test or visual inspection, name of tester, and type and date of repairs.
- D. A maintenance log shall be maintained and include:
1. Date of each test or visual inspection;
 2. Name and approval number of person performing the test or visual inspection;
 3. Test results;
 4. Repairs or servicing required;
 5. Repairs and date completed; and
 6. Servicing performed and date completed.

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- E. Whenever backflow prevention devices required by these regulations are found to be defective, they shall be repaired or replaced at the expense of the consumer without delay as required by Subsection B of this section.
- F. Backflow prevention devices shall not be bypassed, made inoperative, removed or otherwise made ineffective without specific authorization by the Director of ~~Water~~Public Works.

Sec. 13.12.090. Booster pumps.

- A. Where a booster pump has been installed on the service line to or within any premises, such pump shall be equipped with a low pressure cut-off device designed to ~~shut~~turn off the booster pump when the pressure in the service line on the suction size of the pump drops to twenty (20) psi or less.
- B. It shall be the duty of the water consumer to maintain the low-pressure cut-off device in proper working order and to certify to the Director of ~~Water~~Public Works, at least once a year, that the device is operable.

Sec. 13.12.100. Installations to conform to law.

All plumbing installed within the City shall be installed in conformance with the Illinois Plumbing Code, the ~~Illinois Environmental Protection~~ Agency Regulations, and this chapter.

Sec. 13.12.110. Offenses.

- A. Cross connections prohibited.
 - 1. Connections between potable water systems and other systems or equipment containing water or other substances of unknown or questionable quality are prohibited except when and where approved cross connection control devices or methods are installed, tested and maintained to insure proper operation on a continuing basis.
 - 2. Bacteriological and chemical quality; unsafe substances prohibited.
 - a. No physical connection shall be permitted between the potable portion of a supply and any other water supply not of equal or better bacteriological and chemical quality as determined by inspection and analysis by the agency.
 - b. There shall be no arrangement or connection by which an unsafe substance may enter a supply.
- B. Backflow prevention device.
 - 1. It is unlawful for any person or owner or custodian of property within the City to fail to install a backflow prevention device upon order of the Director of ~~the Water Department~~Public Works, or to remove such device once it is installed without the consent of the Director.
 - 2. If the Director of ~~the Water Department or his designee~~Public Works determines in accordance with the Illinois Plumbing Code, the Environmental Protection Agency, or this chapter, that the installation of a backflow prevention device is necessary for the protection of the public water supply, ~~he~~the Director shall give written notice of that fact to the owner or custodian of property to install the device within a time period specified in the notice. Failure to comply with the notice shall constitute a violation of this chapter.
- C. No person, owner or custodian of property shall establish or permit any connection to be made to the City public water system without having first obtained a permit issued by the City.

Sec. 13.12.120. Remedies of the City and penalties for violation.

- A. *Disconnection of water supply.*

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1. If the Director of ~~the Water Department or his designee~~Public Works determines that the public water system is being contaminated ~~he~~the Director shall have the power to ~~shut~~turn off the supply of public water to the offending premises after giving written notice to the owner or custodian of the property and an opportunity to be heard in his/her defense. If the Director determines that the contamination creates an immediate threat to the health of persons using the public water supply system ~~he~~the Director may immediately and without notice disconnect the water supply and immediately thereafter give written notice to the owner or custodian of the property affording them an opportunity to be heard within twenty-four (24) hours if the twenty-four (24) hours falls on a regular weekday or on the following Monday if it falls on a weekend.
 2. Neither the Director nor ~~his~~the designee shall be liable to any customer for any injury or damage that may result from the disconnection of the water supply.
 3. Water service shall not be restored until the owner or custodian of property has corrected or eliminated the condition or defect and the public water supply system has been inspected and the correction approved by the Director of ~~the Water Department or his designee~~Public Works.
- B. *Costs of correction and cleanup.* The owner or custodian of the property shall bear the cost of correction and cleanup of the potable water supply.
- C. *Abatement.* If the Director or ~~his~~the designee ~~shall determine~~determines that there is no immediate danger to the health of persons using the public water supply system he/she shall give the owner or custodian of the property written notice of the violation and a reasonable time to correct it. If the owner or custodian fails or refuses to correct the violation the Director or ~~his~~the designee shall make the connection, in which event the costs thereof plus the cost of cleanup of the potable water supply shall be a lien upon the property pursuant to Section 1.16.020.

Chapter 13.16 SEWER SERVICE SYSTEM

Sec. 13.16.010. ~~Definitions.~~Reserved

~~Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as set forth in this section.~~

~~Approving authority means the director of the wastewater treatment plant.~~

~~Director means the Director of the Collinsville Wastewater Department.~~

~~Owner means owner or occupant.~~

~~Person means any and all persons, natural or artificial, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity.~~ Sec. 13.16.020. Application forms; residential or commercial building sewer.

Applications for residential or commercial building sewers shall be in the forms as provided by the City. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Director. A permit and inspection fee as established in Section 13.16.410 for a residential or commercial building sewer permit shall be paid to the City Treasurer at the time the application is filed.

Sec. ~~Secs. 13.16.030,~~ 13.16.030. Permit—Classes designated; application; fee; sufficient reserve capacity required.

Persons desiring to avail themselves of the facilities of the City sewer system shall annex the property to which the service is desired to the City, or if said property is not contiguous to the City limits, shall enter into a pre-

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annexation agreement stating the property to which service is desired will be annexed to the City once it becomes contiguous.

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

Sec. 13.16.040. Reserved.

Sec. 13.16.050. Depositing objectionable waste prohibited.

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

Sec. 13.16.060. Discharging sewage to natural outlets prohibited; exception.

It is unlawful to discharge to any natural outlet within the City or in any area under the jurisdiction of the City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this title.

Sec. 13.16.070. Maintaining privy, cesspool or septic tank prohibited.

Except as herein provided, it is unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

Sec. 13.16.080. Connection to sanitary sewer.

The owner or occupant of any building within the City that contains or is required to contain sanitary sewerage facilities, that is located upon a tract of land that has a sanitary sewer main within two hundred fifty (250) feet of any property line is required at his/her expense to provide connection to the sanitary sewer main in accordance with the provisions of this chapter and Chapter 13.20, and to complete the connection within ninety (90) days of the date of any official notice from the City to do so.

Sec. 13.16.090. Unauthorized connection or interference prohibited.

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 City ~~Clerk~~.

Sec. 13.16.100. Discharges; compliance with federal, state and local standards required.

All disposal by any person into the sewer system is unlawful except those discharges in compliance with federal standards promulgated pursuant to the Federal Act and more stringent state and local standards.

Sec. 13.16.110. ~~Permit—Classes designated; application; fee~~Reserved.

~~Persons desiring to avail themselves of the facilities of the City sewer system shall annex the property to which the service is desired to the City, or if said property is not contiguous to the City limits, shall enter into a preannexation agreement stating the property to which service is desired will be annexed to the City once it becomes contiguous.~~

Sec. 13.16.120. ~~Same—Sufficient reserve capacity required~~Reserved.

~~A building sewer permit will only be issued and a sewer connection shall only be allowed if it can be demonstrated that the downstream sewerage facilities, including sewers, pump stations and wastewater~~

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~~treatment facilities, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.~~

**Sec. 13.16.130. Installation, connection, maintenance and repair of building sewer; ~~owner~~
~~liable for costs and damages.~~**

- A. All costs and expenses incident to the installation and connection, together with all costs and damages incident to the subsequent maintenance, repair or replacement of the building sewer, including the street, shall be borne by the owner. The owner shall indemnify the City from any costs, expense, loss or damage that may directly or indirectly be occasioned by the installation, connection and the subsequent maintenance and repair of the building sewer.
- B. ~~An exception to this section is made in that the City will undertake the entire expense of repairing or replacement of such building sewers that directly connect to the sanitary sewer main located under Main Street between Combs and Aurora Streets, that they in their sole discretion determine to be in need of such repair or replacement, provided the owner gives the City written permission to work on their property and indemnifies the City against any claims that may be made against them relating to such repair or replacement, with the exception to apply during the construction period under the Insituform contract presently under consideration.~~
- B. **Required Locatability.**
Beginning January 1, 2026, all newly installed or fully replaced service laterals located within the City of Collinsville shall be constructed so that the lateral is locatable by electromagnetic means or an equally effective locating method, as required by state law.
- C. **Minimum Construction Requirements.**
All new or fully replaced water, sanitary sewer, or storm sewer service laterals shall include:
- a. **Tracer wire**, detectable marking tape, or other continuous conductive material installed along the full length of the lateral;
 - b. **Proper termination of tracer wire** at the main connection point and at a surface-accessible location;
 - c. **Materials and installation methods compliant with the Illinois Underground Utility Facilities Damage Prevention Act and any applicable technical standards adopted by the City.**

Sec. 13.16.140. Separate sewers required; when exceptions permitted.

- A. A separate and independent building sewer shall be provided for every building and a tap fee charged for each; except, that where one (1) 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, provided a suitable cleanout is installed at the junction of the two (2) sewers, and the whole considered as one (1) building sewer, but a separate tap fee will be charged for each building. Other exceptions will be allowed only by special permission granted by the Director.
- B. In duplex and multifamily buildings, each unit is required to have an independent building sewer connected or tapped to a City sewer line. For purposes of this subsection, licensed mobile home parks are treated as multifamily buildings, except as provided in Section 13.16.410.

Sec. 13.16.150. Use of old sewers in new buildings.

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

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Chapter 13.20. If ~~clay~~ pipe needs repair ~~or~~, replacement or is determined to be an unacceptable material such as Orangeburg, replacement with ~~plastic~~ pipe as specified in Sec. 13.16.160 will be required.

Sec. 13.16.160. Sewer equipment specifications.

- A. The building sewer shall be cast iron soil pipe, ASTM Specification (A-74) or equal; vitrified clay sewer pipe, ASTM Specification (C-200) or equal; SDR 35 ASTM 3034 polyvinyl chloride (PVC); the Director may in his/her discretion require Schedule 40, polyvinyl chloride (PVC) ASTM Specification (D-1785); or equal, to be utilized in approximately ten (10) foot lengths; or other suitable material approved by the Director. Vitrified clay pipe joints shall conform to ASTM Specification C-425. All joints shall be tight and waterproof. Any part of the building sewer that is located within ten (10) feet of water service pipe or exposed to damage by roots shall be constructed of material approved by the Director. PVC pipe joints may be solvent weld or rubber gasket and shall be approved by the Director prior to installation of pipe and pipe fittings. If installed in filled unstable ground, the building sewer shall be of cast iron soil pipe, except that nonmetallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the Director.
- B. In all cases where sewer pipe is installed or utilized, crushed limestone (maximum three-eighths ($\frac{3}{8}$) inch CA 160) shall be placed from four (4) inches to six (6) inches below the bottom of the pipe to a height which will provide four (4) inches to six (6) inches crushed limestone above the top of the pipe.
- C. In all cases where sanitary sewer pipe is installed beneath a building, sand or fines shall be placed from two (2) inches below the bottom of the pipe to a height of two (2) inches above the top of the pipe.

Sec. 13.16.170. Size and slope requirements.

The size and slope of the building sewer shall be subject to the approval of the ~~Director~~City, but in no event shall the diameter be less than six (6) inches. The slope of such six (6) inch pipe shall be not less than one-eighth ($\frac{1}{8}$) inch per foot. For larger sizes of pipe, the minimum slopes shall be according to all State and local regulations.

Sec. 13.16.180. Sewer connection depth and alignment specifications.

Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to any bearing wall if within three (3) feet of any said wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction or grade shall be allowed only when a manhole or an adequate cleanout facility is constructed at the location of the change.

Sec. 13.16.190. Artificial pumping required when.

In all buildings in which any building drain is too low to permit gravity flow to the sanitary sewer main, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.

Sec. 13.16.200. Connection of surface runoff to building sewer prohibited.

No person shall make connections of roof downspouts, exterior foundation drains, areaway drains, sump pumps, 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 sanitary sewer main.

Sec. 13.16.210. Excavation, backfill and pipe laying requirements.

All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Director. Pipelaying and backfill shall be performed in accordance with ASTM specification (C-12) except that no backfill shall be placed until the work has been inspected by the City.

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Sec. 13.16.220. Approved types of house service connection.

- A. Approved types of house service connection shall be one of the following:
1. Type 1—Wye or tee branches installed in the main sewer at the time of construction. Connections to existing wye/tee branches shall be made with an approved type of joint materials or an approved compression coupling. The connection shall be completely watertight. No connection shall be allowed to any damaged wye/tee branch. If damage occurs during the making of the connection, the wye or tee branch shall be taken out of the main sewer by the installer and replaced either by another undamaged wye/tee or by straight vitrified clay pipe. If straight pipe is used in the replacement, other approved connection methods shall be used. Concrete encasement of the wye/tree branch, connection joint, or any other part of the connection shall not be deemed watertight and shall not be allowed as a method of repairing a damaged joint.
 2. Type 2—Connections of the saddle type installed in the main sewer. Connections of this type shall be made in a smooth, round hole, machine-drilled into the main sewer pipe by the City at the time of connection. The saddle will be provided and installed by the City.
- B. Type 1 connections may be used in existing sanitary sewers when wye/tee branches previously installed are readily and conveniently available. If existing wye/tee branches cannot be found readily or are not located properly for providing the needed service, Type 2 connections shall be made. When new sanitary sewers are constructed, Type 1 connections may be made in cases where the connection to the house is made during construction and before backfilling of the sanitary main sewer trench, or where the depth of the main sewer is such that a riser pipe is necessary. No wye/tee branches shall be installed and covered up for future use unless an approved air-tight plug is securely installed to withstand testing pressures.
- C. Type 2 connections shall be made in all cases where house services are installed subsequent to construction and backfilling operations.

Sec. 13.16.230. Inspection; notice.

The applicant for the building sewer permit shall notify the ~~Director~~City at least ~~forty-eight (48) hours~~² ~~business days~~ before construction and upon each date of construction ~~between 7:30 a.m. and 8:00~~prior to 9 a.m. to schedule inspections. The connection shall be made under the supervision of the Director or ~~his~~the designated representative.

Sec. 13.16.240. Excavations; safeguarding and restoration; bond required.

All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Persons making excavations for sewer installation on public property shall post a ~~fifteen~~twenty-five thousand dollar (\$~~15~~²⁵,000-~~00~~) bond prior to making such excavation. A right of way permit must be obtained if any excavation is done in a right-of-way or an easement. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City, and any other governmental agency affected.

Sec. 13.16.250. Connection fee.

Single-family dwellings, multiple-family dwellings, commercial and industrial facilities shall pay a sewer connection fee as established in Title 4.

Sec. 13.16.260. Right of entry for inspection; inquiries restricted.

The Director and other duly authorized employees of the City, 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 chapter and Chapter 13.20. The Director or ~~his~~the Director's representatives, or other

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proper officials, 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.

Sec. 13.16.270. Right of entry through easements.

The Director of Public Works 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 has an easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. The owner or occupant of such land shall not place any permanent improvements on any part of the easement area. The City may remove any improvement on any easement area, whether the impairment is temporary or permanent, in order to access any sewer line or sewer facilities, and the City shall not be obligated to replace any such improvements except to restore the surface area by leveling and reseeding.

Sec. 13.16.280. Damaging and unauthorized interference prohibited.

No unauthorized person shall maliciously, willfully or negligently break, damage, destroy or tamper with any structure, appurtenance or equipment which is a part of the sewage works. Any person violating this section shall be subject to immediate arrest.

Sec. 13.16.290. Certain discharges to sanitary sewer prohibited.

No person shall discharge, or cause to be discharged, any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or water from any private well or private water system, or unpolluted industrial process waters to any sanitary sewer.

Sec. 13.16.300. Unpolluted drainage; discharge permitted where.

Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Director. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Director, to a storm sewer, combined sewer or natural outlet.

Sec. 13.16.310. Prohibited discharge from private disposal systems.

- A. It is unlawful for any person, corporation or entity that owns or occupies property within the City which has a private sewage system, to permit the effluent from the system to flow or encroach upon any public street or alley ~~or~~ or any other private property.
- B. It is unlawful for any person, corporation or entity that owns or occupies property within the City which has a private sewage disposal system to permit the effluent from the system to pool, stagnate, or to accumulate scum or odor that becomes detrimental to the health of any citizen, upon their own property or upon any other property within the City.
- C. Any person, corporation or entity that violates this section is guilty of an ordinance violation, and is subject to the penalty provisions of Chapter 1.16. Each day that a violation exists shall be considered a separate violation.

Sec. 13.16.320. Certain discharges to sanitary sewer main prohibited.

No person shall discharge or cause to be discharged any of the following described waters or wastes to any sanitary sewer main:

- A. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas;

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- 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 or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works;
- D. Solid or viscous substances in quantities of or such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

Sec. 13.16.330. Certain discharges prohibited when; Director authority.

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 Director that such wastes can harm either the sewers, sewage treatment process, or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming ~~his~~^{his} opinion as to the acceptability of these wastes, the Director will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and maximum limits established by regulatory agencies. The substances prohibited are:

- A. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit (sixty-five (65) degrees Centigrade);
- B. Any waters or wastes containing toxic or poisonous materials; or 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 (150) degrees Fahrenheit (zero degrees and sixty-five (65) degrees Centigrade);
- C. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths ($\frac{3}{4}$) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Director;
- D. Any waters or wastes containing strong acid, iron pickling wastes, or concentrated plating solutions whether neutralized or not;
- E. Any waters or wastes containing iron, chromium, copper, zinc or similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Director for such materials;
- F. Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the Director as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters;
- G. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Director in compliance with applicable State or Federal regulations;
- H. Any waters or wastes having a pH in excess of 9.5;
- I. Any mercury or any of its compounds in excess of 0.0005 mg/l as Hg at any time except as permitted by the Director in compliance with applicable State and Federal regulations;

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- J. Any cyanide in excess of 0.025 mg/l at any time except as permitted by the Director in compliance with applicable State and Federal regulations;
- K. Materials which exert or cause:
 - 1. Unusual concentrations of inert suspended solids such as, but not limited to, 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 of flow or concentrations of wastes constituting "slugs";
- L. Waters or wastes containing substances which are not amenable to treatment and reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters.

Sec. 13.16.340. Discharge of restricted wastes; Director action.

- A. If any waters or wastes are discharged, or are proposed to be discharged to the sanitary sewer main, which waters contain the substances or possess the characteristics enumerated in Section 13.16.330 and/or which are in violation of the standards for pretreatment provided in Chapter 1, EPA Rules and Regulations, subchapter D, Water Programs Part 128—Pretreatment Standards, Federal Register Volume 38, No. 215, Thursday, November 8, 1973, and any amendments thereto, and which in the judgment of the Director 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 Director may:
 - 1. Reject the waste;
 - 2. Require pretreatment to an acceptable condition for discharge to the sanitary sewer main;
 - 3. Require control over the quantities and rates of discharge; and/or
 - 4. Require payment to cover the added costs of handling and treating the wastes not covered by existing taxes and sewer charges, under the provisions of Section 13.16.390.
- B. If the Director of Public Works 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 Director, and subject to the requirements of all applicable codes, ordinances and laws.

Sec. 13.16.350. Reserved.

Editor's note(s)—Ord. No. 22-10, § 2, adopted January 25, 2022, repealed § 13.16.350, in its entirety. Formerly said section pertained to grease, oil and sand interceptor requirements; exception; type, capacity and location and derived from Code 1996, § 13.16.350; Ord. No. 2754, § 9, February 24, 1997. The users attention is directed to Chapter 13.22 for similar provisions.

Sec. 13.16.360. Preliminary treatment or flow-equalizing equipment; owner responsible for maintenance.

Where preliminary treatment or flow-equalizing facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner at ~~his~~the owner's expense.

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Sec. 13.16.370. Control manhole required when; specifications; owner responsible for maintenance.

Each new ~~industry~~Major Contributing Industry shall be required to install a control manhole and, when required by the Director, 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 Director. The manhole shall be installed by ~~the owner~~and at ~~his~~the owner's expense, and shall be maintained ~~by him~~the owner so as to be safe and accessible at all times.

Sec. 13.16.380. Tests and measurements; taken where; reference standard.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this chapter and Chapter 13.20, 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 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 sanitary sewer main to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage 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 of all outfalls of a premises is appropriate, or whether a grab sample should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four (24) hour composites of all outfalls, whereas pH's are determined from periodic grab samples.

Sec. 13.16.390. Laboratory tests required when; owner responsibility; City authority.

The owner of any property serviced by a building sewer carrying industrial wastes shall provide laboratory measurements, tests and analyses of waters and wastes to illustrate compliance with this chapter and Chapter 13.20, and any special conditions for discharge established by the City 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 City, 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 City at such times and in such manner as prescribed by the City. The owner shall bear the expense of all measurements, analyses and reporting required by the City. At such times as deemed necessary, the City reserves the right to take measurements and samples for analysis by an outside laboratory service.

Sec. 13.16.400. Special treatment agreements.

No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefor, in accordance with the chapter by the industrial concern.

Sec. 13.16.410. Wastewater rates, connection and other fees.

The wastewater service charge for the use of and for service supplied by the wastewater facilities of the City consist of a basic user charge for operation and maintenance, replacement, sewer system reserve funds, a debt service charge, and a surcharge, if applicable. All such fees shall be as established in Title 4.

- A. The basic user charge shall be based upon water usage. Debt service is based upon the principal and interest payment due on bond issues.

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- B. User fee. The basic user fees are established based upon water usage and are as set forth in Title 4.
- C. Connection fees. The fees for connection to the wastewater collection system are as set forth in Title 4.
- D. Permit and inspection fee. A permit and inspection fee is established in Title 4 for the cost of making the inspection of the sewer connection. Multiple inspections of the same connection shall be considered one (1) inspection.
- E. Reserved.
- F. Surcharge.
 - 1. Charges are established as set forth in Title 4 for surcharges (ICR). For all wastewater exceeding the normal concentration, a surcharge shall be levied, based upon water usage.
 - 2. Concentration of wastes used for computing surcharges (ICR) shall be established by waste sampling, which shall be performed as often as deemed necessary by the ~~Wastewater~~ Director of Public Works, and shall be binding to establish the surcharge as long as and to the extent that the sample exceeds the normal concentration.

Sec. 13.16.420. Flow measurement.

The volume of flow used for computing basic user charges and surcharges shall be the metered water consumption read to the lowest even increments of cubic feet.

- A. If the person discharging wastes into the public sewers procures any part or all of his/her water from sources other than the public waterworks system, all or a part of which is discharged into the public sewers, the person shall install and maintain, at his/her own expense, water meters of a type approved by the Director of Public Works for the purpose of determining the volume of water obtained from these other sources.
- B. Devices for measuring the volume of waste discharged may be required by the Director of Public Works if these volumes cannot otherwise be determined from the metered water consumption records.
- C. Metering devices for determining the volume of waste shall be installed, owned and maintained by one (1) person. Following approval and installation, such meters may not be removed, unless service is canceled, without the consent of the Director of Public Works.

Sec. 13.16.430. ~~Wastewater charges to be reviewed annually.~~

~~The debt service charge, the basic user charge, and the surcharge shall be reviewed annually to determine the actual costs to the City for providing wastewater service, with the review to be made by certified public accountants for the City in their annual audit. The wastewater service charges are contemplated to be revised periodically to reflect a change in debt service or a change in the cost of operation and maintenance plus replacement costs plus sewer system reserve bonds or reserve funds~~Reserved.

Sec. 13.16.440. Notice to correct violations; failure; penalty.

- A. Any person found to be violating the provisions of this chapter or Chapter 13.20 shall be served by the City 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, satisfactorily correct said violation.

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- B. Any person who continues any violation beyond the time limit provided for in Subsection A of this section is guilty of a misdemeanor and upon conviction thereof shall be subject to the penalty provisions of Chapter 1.16.
- C. The City may elect not to pursue the remedy provided for in Subsections A and B of this section, and proceed directly to an ordinance violation charge or charges, in which event the offender shall be subject to the general penalty provisions of Chapter 1.16.

Sec. 13.16.450. Delinquent payments; real estate to become a lien.

In addition to Section 13.16.440, and in addition to other remedies provided by law, the City shall have a lien upon the real estate upon or for which service is supplied from and after such charges or rates have become delinquent, and sworn statements showing such delinquencies shall be prepared by the City Clerk and filed in the office of the county recorder of deeds, and such liens may, upon the order of the council, be foreclosed, all in accordance with the statutes in such cases made and provided.

Chapter 13.20 PRIVATE SEWAGE DISPOSAL SYSTEM**Sec. 13.20.010. Building sewer connection required when.**

Where a sanitary sewer main is not available under the provisions of Section 13.16.080, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this chapter.

Sec. 13.20.020. Permit required; application; fee.

- A. In the event that a private sewage disposal system is installed that is not regulated by Madison or St. Clair County, then the owner or installer shall obtain a permit from the City ~~Clerk~~. The application for permit shall be made on a form furnished by the City ~~Clerk~~ which shall be supplemented by such plans, specifications and other information as the Director of Public Works shall deem necessary.
- B. A permit and inspection fee is established as set forth in Title 4.
- C. A State permit shall be secured if required by State law.

Sec. 13.20.030. Inspection required; notice.

A permit for a private or semipublic sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Director ~~He~~ of Public Works or the designee. The Director or designee shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Director when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within sixty (60) hours of the receipt of notice by the Director.

Sec. 13.20.040. Compliance with state provisions required; permit denied when.

The type, capacities, location and layout of a private or semi-public sewage disposal system shall comply with all recommendations of the State of Illinois Private Sewage Disposal Licensing Act and Code, and with the State of Illinois Environmental Protection Agency. No permit shall be issued for any private or semi-public sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than a size suitable for installation of an effective system. No septic tank or cesspool, etc. shall be permitted to discharge to any sanitary sewer main or natural outlet.

Sec. 13.20.050. Connection with sanitary sewer main required when.

At such time as a sanitary sewer main becomes available to a property served by a private or semi-public sewage disposal system, as provided in Section 13.16.080, a direct connection shall be made to the sanitary sewer

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main in compliance with this chapter and Chapter 13.16, and any septic tanks, cesspools and similar private or semi-public sewage disposal facilities shall be abandoned and filled with clean bank-run gravel or dirt.

Sec. 13.20.060. Operation and maintenance requirements.

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

Sec. 13.20.070. Additional requirements.

No statement contained in this chapter shall be construed to interfere with any additional requirements that may be imposed by the City, county, or by the State of Illinois.

Chapter 13.21 SEPTIC TANK TRUCK OPERATORS**Sec. 13.21.010. Purpose and scope.**

The purpose of this Chapter is to establish minimum standards, controls, and procedures for the disposal of liquid domestic waste at the Collinsville Wastewater Treatment Facility by liquid waste haulers, also referred to as septic tank truck operators.

Sec. 13.21.020. Liquid waste haulers, discharge permit required.

Any liquid waste hauler discharging liquid waste into the City's wastewater system shall be required to obtain a liquid waste discharge permit from the City for each vehicle owned or operated by the liquid waste hauler prior to discharge.

Sec. 13.21.030. Liquid waste hauler discharge permit application.

- A. Applications for a liquid waste hauler discharge permit shall be made to the Wastewater Treatment Plant (WWTP) on forms provided by the City and shall at a minimum contain the following information:
1. Business name and business address of liquid waste hauler.
 2. Quantity, capacity, license plate number, and type of all vehicles operated by hauler for the purpose of hauling liquid waste.
 3. Emergency contact information.
 4. Copies of current State and County Waste Haulers Licenses.
 5. Proof of insurance in the following types and amounts:
 - a. *Bodily injury, non-vehicular*: One million dollars (\$1,000,000.00) each occurrence.
 - b. *Property damage, non-vehicular*: One million dollars (\$1,000,000.00) each occurrence.
 - c. *Automobile insurance*: One ~~hundred thousand~~million dollars (~~\$1001,000~~,000.00) single occurrence, ~~three hundred thousand~~one million dollars (~~\$3001,000~~,000.00) aggregate, one ~~hundred thousand~~million dollars (~~\$1001,000~~,000.00) property damage.
 6. Any other information deemed necessary by the City to review the application.
- B. The City may issue a permit if, after review of the application, it finds
1. The liquid waste is domestic generated waste or commercial/food waste with the exception of grease trap waste; and
 2. The liquid waste may be discharged into the Wastewater Treatment disposal facility without causing pass-through or interference; and

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3. The liquid domestic waste was produced ~~with in~~ within the water distribution service area of the City of Collinsville, Village of Maryville, or Mounds Public Water District; and
 4. The liquid waste meets all applicable Federal, State, and City requirements.
- C. Any permit issued shall be valid for a period of one (1) year following issuance.

Sec. 13.21.040. Control authority.

Liquid waste haulers shall be subject to the conditions of a liquid waste hauler permit as set forth herein. Administration of liquid waste hauler provisions of the City's Code of Ordinances shall be the responsibility primarily of the Director of ~~the Wastewater Department~~ Public Works.

Sec. 13.21.050. Permit conditions, renewal.

- A. Any liquid waste hauler discharge permit may include conditions imposed by the City in order to assure compliance with Federal, State, county, and City regulations. Prohibited conditions which may be imposed include, but are not limited to, the following:
1. Liquid waste which violates any discharge standard of the general pretreatment regulations, 40 CFR Section 403.5(b) or any local limit that is prohibited.
 2. Liquid waste which contains hazardous waste.
 3. Liquid waste described in section 13.16.330 of this chapter.
 4. Liquid waste from commercial or industrial grease traps.
- B. Liquid waste discharge permits shall not be transferred, reassigned, or sold. Application for renewal of a discharge permit shall be made to the City thirty (30) days prior to the expiration date contained on the permit.

Sec. 13.21.060. Liquid waste discharge location, fees, manifest.

- A. The City shall designate the disposal facility to receive permitted hauled liquid waste. Disposal of hauled liquid waste at any location or site other than the designated disposal facility is prohibited. The City also shall designate the hours of operation of the disposal facility and establish procedures by which the disposal facility may be used. Disposal of hauled liquid waste at any other time than the designated hours of operation or in violation of the established procedures of usage is prohibited.
- B. The disposal charge for hauled liquid waste shall be as set forth in Title 4 of the City's Code of Ordinances. ~~The disposal charge will be evaluated annually and adjusted, if necessary.~~ Such charge will be billed by the City and payable on a monthly basis.
- C. Each liquid waste load which is presented for discharge shall require the submission of a load manifest which contains the following information:
1. Certification statement, date, hauler's first and last name, business name, and email address.
 2. Originating location of liquid waste.
 3. Volume of liquid waste pumped.
 4. Liquid waste characterization (i.e., industrial/domestic waste).
- D. A manifest shall be prepared for each location where the hauler receives liquid waste. Failure to provide the manifest to the Collinsville WWTP for each load shall be cause to deny access to the designated disposal facility. Manifest records shall be maintained by the hauler for a period of three (3) years.

Sec. 13.21.070. Discharge of contents from holding tanks; private sewage disposal systems.

The contents from holding tanks for domestic waste and private sewage disposal systems only shall be allowed with the approval of the City, at a rate set forth in Title 4 of the City's Code of Ordinances. There shall be no mixing of holding tank wastewater or private sewage disposal systems with waste of any other type. A "holding tank" is defined as a non-discharging storage structure for sanitary wastewater of domestic origin with no connection to a lateral field or any other type of discharge point from the storage tank.

Sec. 13.21.080. Rights of refusal.

Notwithstanding any provision to the contrary, the City may refuse any liquid waste load. Further, the City may order the testing of any waste load by the hauler prior to disposal. Designated staff of the City may also conduct sampling of any liquid waste to confirm compliance with the permit.

Sec. 13.21.090. Enforcement.

A. Any liquid waste hauler permit may be revoked by the City upon the occurrence of any of the following:

1. Failure to pay disposal charges for a period of sixty (60) days.
2. Failure to provide or maintain manifest records.
3. Submission of inaccurate or false information concerning waste characterization.
4. Attempted disposal or disposal of hazardous waste.
5. Disposal of waste into the City's system at any site other than the designated site.

Sec. 13.21.100. Liquid waste hauler—Regulatory penalty.

If any public, State, or Federal agency imposes or threatens to impose any penalty upon the City, the City will immediately notify the person(s) or agency reasonably believed to be causing the City to be in violation by virtue of their discharge to the City sewer. If a penalty is subsequently assessed against the City, the person(s) or agency causing the City to be in violation shall be held liable for the penalty. All fines imposed as a result of a violation of this chapter shall be paid by the person(s) or agency causing the violation to the City and credited to the City.

Sec. 13.21.110. Liquid waste hauler—Damage to facilities.

When it has been determined that a discharge of hauled liquid waste causes an obstruction, damage, or any other impairment to the wastewater disposal facilities, the City may assess a charge for the work required to clean or repair the facility against the liquid waste hauler responsible for the discharge. The repairs may be made by a private contractor or by personnel of the City at the option of the City.

Sec. 13.21.120. Liquid waste hauler—Criminal.

Failure to comply with the provisions of this chapter may result in the issuance of a stop-work order (SWO), citation under applicable Codes, the requirement for submission of applications, including applicable review and fees, or any other remedies at law or in equity available to the City, including fines and penalties pursuant to section 1.16.010 of the City's Code of Ordinances.

Sec. 13.21.130. Right to reconsideration and appeal.

A. Any person subject to a permit revocation, compliance notice, ~~stop-work order~~SWO, suspension notice, or an emergency order may petition the City to reconsider the basis for the action or order within ten (10) days of the affected person's receipt of notice of such action or order. Receipt of notice is presumed to occur three (3) days following the date the notice is mailed unless notice is actually received earlier.

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- B. In its petition for reconsideration, the person must indicate the provisions of the action or order objected to, the reasons for the objections, any facts that are contested, the facts that support the person's view of the facts, and any alternate terms of the action or order that the person would accept.
- C. Failure to submit a timely written petition for reconsideration shall be deemed a waiver of any further right to reconsideration or review of the order.
- D. Within ten (10) days of receipt of the petition for reconsideration, the Public Works Director shall, in writing, either grant the petition and withdraw or modify the action or order accordingly, or deny the petition, and such granting or denial shall be timely delivered to the petitioner.
- F. The effect of any compliance action or order shall not be stayed pending reconsideration.
- G. Following final determination by the Public Works Director on the reconsideration, any adversely affected party shall have the right to appeal to the City's Hearing Officer, or such other board or commission as City may designate. The application for appeal shall be submitted in writing to the City Clerk within seven (7) days after the date of such final determination by the Public Works Director. The Hearing Officer shall commence its consideration of the appeal within least twenty-one (21) days after the filing of the appeal and then shall promptly decide the appeal. An appeal of the Hearing Officer's decision shall be in accordance the Illinois Administrative Review Act.
- H. Nothing in this Chapter shall limit the authority of the City to take any other enforcement action or prevent existing or further enforcement action.

Chapter 13.22. GREASE TRAPS

Sec. 13.22.010. Purpose and scope.

In order to protect public health, the sanitary sewer system, and the environment, this chapter sets forth uniform requirements. The food service industry must follow this chapter for the disposal of fats, oils, and grease. It also enables the City to comply with all applicable State and Federal laws, including the Clean Water Act (33 U.S.C 1251, et seq.).

Sec. 13.22.020. Reserved.

Sec. 13.22.030. Applicability and prohibitions.

- A. This chapter shall apply to all nondomestic users of the public sewer system as defined in this chapter.
- B. Grease trap/interceptors shall not be required for residential users or for food service-sales facilities.
- C. Each generator shall install, use, and maintain an appropriate grease trap/interceptor as required by this chapter.
- D. No user may intentionally or unintentionally allow the direct or indirect discharge of any petroleum oil, non-biodegradable cutting oil, mineral oil, or any fats, oils, or greases of animal or vegetable origin into the public sewer system in such amounts as to cause interference with the collection and treatment system, or as to cause pollutants to pass through the wastewater treatment plant into the environment, or that would otherwise be removed with a properly sized, installed, operated and maintained grease trap/interceptor.

Sec. 13.22.040. Installation and maintenance requirements.

- A. New facilities shall be required to design, install, operate and maintain a grease trap/interceptor in accordance with this chapter.
 - 1. Size:

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- a. Any food service business which maintains any of the following as a part of their operations shall require a minimum one thousand five hundred (1,500) gallon grease interceptor:
 - b. Stove top;
 - c. Flat top;
 - d. Pizza oven;
 - e. Deep fryer;
 - f. Hood system; and
 - g. Any other component that in the opinion of the Public Works Director, or ~~his~~the designee, presents or creates a potential nuisance to the sanitary sewer system.
2. Food service establishments not requiring the above shall require a grease trap/interceptor as required per the State of Illinois Plumbing Code and shall follow the guidance therein.
 3. Review and Inspection.
 - a. Grease trap/interceptors shall be subject to plan review and approval by the City prior to construction/installation. Grease trap/interceptors shall be installed and inspected prior to issuance of a ~~certificate~~Certificate of ~~occupancy~~Occupancy and a ~~business license~~Business License/Registration.
 - b. Exterior Grease Trap/interceptors will be subject to quarterly inspections by the City. Interior grease trap/interceptors will be subject to annual inspections.
 4. The City may waive or modify the grease trap requirements based on the type of facility. However, should the installation of any type of stove top, flat top, pizza oven, deep fryer, or hood system be installed, the City may require an exterior grease trap of one thousand five hundred (1,500) gallon capacity or larger.
- B. Existing Facilities.
1. Existing grease trap/interceptors must be operated and maintained in accordance with this Chapter.
 2. Existing facilities shall be required to design, install, operate, and maintain a grease trap/interceptor when any of the following conditions apply:
 - a. Renovation or expansion of an existing food preparation-service facility in the following instances:
 - i. A grease trap/interceptor is nonexistent, or
 - ii. A grease trap/interceptor is noncompliant with this Chapter.
 - b. Addition of a food preparation-service facility to an existing structure.
 - c. Addition of a food preparation-service facility to an existing structure. However, if prior to the issuance of a certificate of occupancy, an existing facility has lost its nonconforming use status as per section 17.090.040, a grease trap/interceptor shall be required to be compliant with this Chapter before a new ~~certificate~~Certificate of ~~occupancy~~Occupancy can be issued.
 - d. Grease trap/interceptors shall be subject to plan review and approval by the City prior to construction/installation.
 - e. Grease trap/interceptors shall be installed and inspected prior to the issuance of a ~~certificate~~Certificate of ~~occupancy~~Occupancy and Business License/Registration.
 3. Notwithstanding subsection (B) above, if an existing facility has a grease trap/interceptor that was compliant at the time of original construction; is in good working order; the facility is not increasing its

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footprint by fifty (50) percent or more; the facility is not adding a stove top, flat top, pizza oven, deep fryer, or hood system; and the facility does not have a history of noncompliance, then a change of ownership or occupancy shall not require the facility to replace the existing grease trap/interceptor if fully compliant with this chapter.

- C. Grease trap/interceptors shall be installed pursuant to a single ~~certificate~~Certificate of ~~occupancy~~Occupancy. No person or persons shall allow the use of a single grease trap/interceptor by more than one (1) business as defined by a ~~certificate~~Certificate of ~~occupancy~~Occupancy without prior written approval from the City.

Sec. 13.22.050. Cleaning and maintenance.

- A. Grease traps/interceptors shall be maintained in accordance with this Chapter at all times.
- B. A generator shall have all grease trap waste cleaned from the grease trap/interceptor and picked up by a licensed transporter, unless the generator participates in the self-cleaning program.
- C. All grease trap waste shall be properly disposed of at a facility in accordance with federal, state, or local regulations.
- D. Each grease trap/interceptor pumped shall be fully evacuated unless the trap volume is greater than the tank capacity on the vacuum truck in which case the transporter shall arrange for additional transportation capacity so that the trap is fully evacuated within a twenty-four (24) hour period.

Sec. 13.22.060. Cleaning schedule.

- A. Grease trap/interceptors shall be cleaned as often as necessary to ensure that sediment and floating materials do not accumulate to impair the efficiency of the grease trap/interceptor
- B. Grease trap/interceptors (more than 50 gallons) shall be completely evacuated at a minimum of every ninety (90) days, or more frequently when:
1. Twenty-five (25) percent or more of the wetted height of the grease trap/interceptor, as measured from the bottom of the device to the invert of the outlet pipe, contains floating materials, sediment, oils, or greases.
 2. If there is a history of noncompliance.
- C. Any person who owns or operates a grease trap/interceptor may submit to the City a request in writing for an exception to the required pumping frequency of their grease trap/interceptor. The City may grant an extension for the required cleaning frequency on a case-by-case basis when:
1. The grease trap owner/operator has demonstrated the specific trap will produce an effluent with no visible grease; or
 2. Less than twenty-five (25) percent of the wetted height of the grease trap/interceptor, as measured from the bottom of the device to the invert of the outlet pipe, contains floating materials, sediment, oils, or greases.

In addition, the waiver request may include professional comments from the transporter regarding the performance of the grease trap/interceptor. These comments will provide additional insight to the City when reviewing the request.

Sec. 13.22.070. Manifest requirements.

- A. Each pump-out of a grease trap/interceptor must be accompanied by a manifest to be used for recordkeeping purposes.
- B. Manifests shall be maintained on file by the generator and transporter and each generator must provide a copy of said manifest at the request of the City.

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Sec. 13.22.080. Administrative authority.

- A. The City shall have the right to enter the premises of any generator or transporter during regular business hours to determine whether the generator or transporter is complying with this chapter.
- B. The generator or transporter shall allow the City ready access to all parts of such premises for purposes of inspection, sampling, and the performance of any of their duties. The failure or refusal to comply with these provisions shall be grounds for enforcement action.
 - 1. The City shall have the right to set up on the generator's premises, or require installation of, such devices as are necessary to conduct sampling and/or inspection of the generator's operations.
 - 2. Any temporary or permanent obstruction to safe and easy access to the premises to be inspected and/or sampled shall be promptly removed by the generator at the written or verbal request of the City and shall not be replaced.
 - 3. Unreasonable delays in allowing the City access to the generator's premises shall be a violation of this chapter.

Sec. 13.22.090. Nuisances.

- A. Any premises upon which grease and/or grease trap waste has accumulated and which is emitting noxious or offensive odors, or which is creating an unsanitary or unsafe condition, or which is injurious to the public health is hereby declared to be a nuisance and subject to remedy under all available provisions of the City's Code of Ordinances or state laws and statutes.
- B. A vehicle transporting grease trap waste which is leaking or spilling from such vehicle is hereby declared to be a nuisance and subject to remedy under all available provisions of the Chapter 8.12 of the City's Code of Ordinances or state laws and statutes.

Sec. 13.22.100. Enforcement of penalties.

- A. The City shall have the responsibility for enforcement of the provisions of this chapter. The duties of the City shall include ensuring that all generators and transporters conform to this chapter. The City shall have the authority to adopt policies and procedures consistent with the terms of this chapter necessary to implement the provisions of this chapter.
- B. It shall be unlawful for any generator or transporter to violate any provision or fail to comply with any of the requirements of this chapter. Any generator or transporter who has violated or continues to violate the provisions of this chapter will be subject to the enforcement actions and penalties outlined herein. Such a generator or transporter is referred to herein as a violator.
- C. The City may pursue the following enforcement actions as appropriate.
 - 1. *Voluntary compliance.* The City may instruct a violator that commits any acts prohibited by this Ordinance to achieve voluntary compliance as determined by the City. The City may provide a reasonable amount of time, specific to the occurrence, to remedy the violation.
 - 2. *Notice of violation.* If the City determines that a generator or transporter has violated, or continues to violate, any provision of this Chapter, a written notice of violation may be provided to the violator.
 - 3. *Stop-work orders.* The City shall retain the authority to issue stop-work orders to any violator that commits any acts prohibited by this chapter. If the City determines that voluntary compliance is not feasible, and that a facility is operating in a manner that may lead to a sanitary sewer overflow or damage to the public sewer or wastewater treatment plant, the City may, as appropriate, issue a stop-work order, or revoke the facility's ~~certificate~~Certificate of occupancyOccupancy and business licenseBusiness License/Registration.

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Sec. 13.22.110. Suspension of service.

- A. The City may suspend the water supply and/or sanitary sewer connection for any violator who continues to violate a previous notice to cease discharge into the Public Owned Treatment Works (POTW) and fails to comply with this chapter. The violator will be subject to suspension of service if such measures would abate or reduce the discharge.
- B. The City may, without prior notice, suspend the water service and/or sanitary sewer service to a generator to stop an actual or threatened discharge which presents or may present imminent substantial danger.

Sec. 13.22.120. Schedule of penalties; equitable relief.

- A. Any person, firm, corporation or entity guilty of violating any provision of this chapter shall be ~~fined not more than seven hundred fifty dollars (\$750.00)~~ subject to the general penalty provisions of Chapter 1.16 for each offense. Each day of violation shall be considered a separate offense. Violators shall also be subject to other penalty provisions of this Code.
- B. Among any other available remedies, the City Attorney or Corporate Counsel shall be empowered to seek equitable and punitive relief in the County Circuit Court to require the person(s) in violation of the provisions of this chapter to comply with the standards set forth herein.

Sec. 13.22.130. Right to reconsideration and appeal.

- A. Any person subject to a permit revocation, compliance notice, ~~stop-work-order~~ SWO, suspension notice, or an emergency order may petition the City to reconsider the basis for the action or order within ten (10) days of the affected person's receipt of notice of such action or order. Receipt of notice is presumed to occur three (3) days following the date the notice is mailed unless notice is actually received earlier.
- B. In its petition for reconsideration, the person must indicate the provisions of the action or order objected to, the reasons for the objections, any facts that are contested, the facts that support the person's view of the facts, and any alternate terms of the action or order that the person would accept.
- C. Failure to submit a timely written petition for reconsideration shall be deemed a waiver of any further right to reconsideration or review of the order.
- D. Within ten (10) days of receipt of the petition for reconsideration, the Public Works Director shall, in writing, either grant the petition and withdraw or modify the action or order accordingly, or deny the petition, and such granting or denial shall be timely delivered to the petitioner.
- F. The effect of any compliance action or order shall not be stayed pending reconsideration.
- G. Following final determination by the Public Works Director on the reconsideration, any adversely affected party shall have the right to appeal to the City's Hearing Officer, or such other board or commission as City may designate. The application for appeal shall be submitted in writing to the City Clerk within seven (7) days after the date of such final determination by the Public Works Director. The Hearing Officer shall commence its consideration of the appeal within twenty-one (21) days after the filing of the appeal and then shall promptly decide the appeal. An appeal of the Hearing Officer's decision shall be in accordance the Illinois Administrative Review Act.
- H. Nothing in this chapter shall limit the authority of the City to take any other enforcement action or prevent existing or further enforcement action.

Recommendation

Staff recommends approval of the ordinance amending Title 13 Public Services.

Departmental Review

Administration, Community Development, Public Works, Finance, and Corporate Counsel