

1 AN ACT in relation to private sewage disposal.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Private Sewage Disposal Licensing Act is
5 amended by changing Sections 11 and 19 as follows:

6 (225 ILCS 225/11) (from Ch. 111 1/2, par. 116.311)

7 Sec. 11. Notice of violation. Whenever the Department
8 determines that there are reasonable grounds to believe that
9 there has been violation of any provision of this Act or the
10 rules and regulations issued under this Act, the Department
11 shall give notice of such alleged violation ~~to the person--to~~
12 ~~whom the license was issued,~~ as herein provided. Such notice
13 shall:

14 (a) be in writing;

15 (b) include a statement of the reasons for the
16 issuance of the notice;

17 (c) allow reasonable time as established by rule
18 ~~determined--by--the--Department~~ for the performance of any
19 act it requires;

20 (d) be served upon the owner, operator or licensee
21 as the case may require; provided that such notice or
22 order shall be deemed to have been properly served upon
23 such owner, operator or licensee when a copy thereof has
24 been sent by registered or certified mail to his last
25 known address as furnished to the Department; or, when he
26 has been served with such notice by any other method
27 authorized by the laws of this State; and

28 (e) contain an outline of remedial action, which is
29 required to effect compliance with this Act and the rules
30 and regulations issued under this Act.

31 (Source: P.A. 78-812.)

1 (225 ILCS 225/19) (from Ch. 111 1/2, par. 116.319)

2 Sec. 19. Civil and criminal penalties.

3 (a) Any person who violates this Act or any rule or
4 regulation adopted by the Department under this Act or who
5 violates any determination or order of the Department under
6 this Act shall be guilty of a Class A misdemeanor and shall
7 be fined a sum not less than \$100. Each day's violation
8 constitutes a separate offense.

9 (b) In addition to any other penalty provided under this
10 Act, the Department (or a unit of local government acting
11 under Section 10) in an administrative proceeding, or the
12 court in an action brought under subsection (c) of this
13 Section, may impose upon any person who violates this Act or
14 any rule or regulation adopted under this Act, or who
15 violates any determination or order of the Department under
16 this Act, a civil penalty not exceeding \$1,000 for each
17 violation plus \$100 for each day that the violation
18 continues.

19 (c) The State's Attorney of the county in which the
20 violation occurred, or the Attorney General may shall bring
21 such actions for the enforcement of this Act and the rules
22 adopted and orders issued under this Act, in the name of the
23 People of the State of Illinois, and or may, in addition to
24 other remedies provided in this Act, bring an action for an
25 injunction to restrain any actual or threatened such
26 violation, or to enjoin the operation of any such
27 establishment operated in violation, or to impose or collect
28 a civil penalty for any violation.

29 (Source: P. A. 78-812.)

30 Section 99. Effective date. This Act takes effect upon
31 becoming law.