

1 AN ACT concerning sanitary sewers.

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

4 Section 5. The Illinois Municipal Code is amended by
5 adding Section 7-1-18.5 as follows:

6 (65 ILCS 5/7-1-18.5 new)

7 Sec. 7-1-18.5. Maintenance of sanitary sewers. A
8 municipality located in a county with a population of
9 3,000,000 or more to which territory is annexed after the
10 effective date of this amendatory Act of the 92nd General
11 Assembly is responsible for the operation and maintenance of
12 any existing sanitary sewerage system serving the annexed
13 territory, unless the sanitary sewerage system is under the
14 jurisdiction of another unit of local government other than
15 the Metropolitan Water Reclamation District.

16 Section 10. The Metropolitan Water Reclamation District
17 Act is amended by changing Section 7f as follows:

18 (70 ILCS 2605/7f) (from Ch. 42, par. 326f)

19 Sec. 7f. Regulation of connecting sewerage systems.

20 (a) It shall be unlawful for any person to construct or
21 install any sewerage system that discharges sewage,
22 industrial wastes, or other wastes, directly or indirectly,
23 into the sewerage system of the sanitary district, unless a
24 written permit for the sewerage system has been granted by
25 the sanitary district acting through the general
26 superintendent. The sanitary district shall specify by
27 ordinance the changes, additions, or extensions to an
28 existing sewerage system that will require a permit. No
29 changes, additions, or extensions to any existing sewerage

1 systems discharging sewage, industrial wastes, or other
2 wastes into the sewerage system of the sanitary district,
3 that requires a permit, may be made until plans for the
4 changes, additions, or extensions have been submitted to and
5 a written permit obtained from the sanitary district acting
6 through the general superintendent; provided, however, that
7 this Section is not applicable in any municipality having a
8 population of more than 500,000.

9 (b) Sewerage systems shall be operated in accordance
10 with the ordinances of the sanitary district. The Board of
11 Commissioners of any sanitary district is authorized to
12 regulate, limit, extend, deny, or otherwise control any new
13 or existing connection, addition, or extension to any sewer
14 or sewerage system which directly or indirectly discharges
15 into the sanitary district sewerage system. The Board shall
16 adopt standards and specifications for construction,
17 operation, and maintenance. This Section shall not apply to
18 sewerage systems under the jurisdiction of any city, village,
19 or incorporated town having a population of 500,000 or more.

20 (c) The Board of Commissioners of any sanitary district
21 is hereby authorized to pass all necessary ordinances to
22 carry out the aforementioned powers. The ordinances may
23 provide for a civil penalty for each offense of not less than
24 \$100 nor more than \$1,000. Each day's continuance of the
25 violation shall be a separate offense. Hearings for
26 violations of the ordinances adopted by the Board of
27 Commissioners may be conducted by the Board of Commissioners
28 or its designee.

29 (d) Plans and specifications for any sewerage system
30 covered by this Act must be submitted to the sanitary
31 district before a written permit may be issued and the
32 construction of any sewerage system must be in accordance
33 with the plans and specifications. In case it is necessary
34 or desirable to make material changes in the plans or

1 specifications, the revised plans or specifications, together
2 with the reasons for the proposed changes, must be submitted
3 to the sanitary district for a supplemental written permit.

4 (e) The sanitary district, acting through the general
5 superintendent, may require any owner of a sewerage system
6 discharging into the sewerage system of the sanitary
7 district, to file with it complete plans of the whole or of
8 any part of the system and any other information and records
9 concerning the installation and operation of the system.

10 (f) The sanitary district, acting through the general
11 superintendent, may establish procedures for the review of
12 any plans, specifications, or other data relative to any
13 sewerage system, written permits for which are required by
14 this Act.

15 (g) The sanitary district, acting through the general
16 superintendent, may adopt and enforce rules and regulations
17 governing the issuance of permits and the method and manner
18 under which plans, specifications, or other data relative
19 thereto must be submitted for the sewerage systems or for
20 additions or changes to or extensions of the systems.

21 (h) After a hearing on an alleged violation of any such
22 ordinance, the Board may, in addition to any civil penalty
23 imposed, order any person found to have committed a violation
24 to reimburse the sanitary district for the costs of the
25 hearing, including any expenses incurred for inspection,
26 sampling, analysis, administrative costs, and court
27 reporter's and attorney's fees. The Board of Commissioners
28 may also require a person to achieve compliance with the
29 ordinance within a specified period of time. The
30 Administrative Review Law, and the rules adopted under that
31 Law, shall govern proceedings for the judicial review of
32 final orders of the Board of Commissioners issued under this
33 subsection.

34 (i) Civil penalties and costs imposed pursuant to this

1 Section are recoverable by the sanitary district in a civil
2 action. The sanitary district is authorized to apply to the
3 circuit court for injunctive relief or mandamus when, in the
4 opinion of the general superintendent, the person has failed
5 to comply with an order of the Board of Commissioners or the
6 relief is necessary to protect the sewerage system of the
7 sanitary district.

8 (j) The operation and maintenance of any existing
9 sanitary sewerage system serving territory that is annexed by
10 a municipality located in a county with a population of
11 3,000,000 or more after the effective date of this amendatory
12 Act of the 92nd General Assembly is the responsibility of the
13 municipality to which the territory is annexed, unless the
14 sanitary sewerage system is under the jurisdiction of another
15 unit of local government other than the District.

16 (Source: P.A. 90-354, eff. 8-8-97.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.