

VILLAGE OF PALESTINE, ILLINOIS

ORDINANCE NO. 2024-O- 01

AN ORDINANCE TO AMEND CHAPTER 7,
SEWER SERVICE, OF THE PALESTINE VILLAGE CODE

ADOPTED BY THE BOARD OF TRUSTEES
OF THE VILLAGE OF PALESTINE, ILLINOIS
THIS 4 DAY OF April, 2024

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF
THE BOARD OF TRUSTEES OF THE VILLAGE OF PALESTINE,
CRAWFORD COUNTY, ILLINOIS
THIS 4 DAY OF April, 2024

CERTIFICATE OF PUBLICATION

I, KERRY WATSON, the duly qualified Village Clerk of the Village of Palestine, Illinois, and the official custodian of records of said Village do hereby certify that this Ordinance was published in pamphlet form by authority of the Board of Trustees on the 4 day of April, 2024.


KERRY WATSON, Village Clerk

ORDINANCE NO. 2024-O-_____

**AN ORDINANCE TO AMEND CHAPTER 7,
SEWER SERVICE, OF THE PALESTINE VILLAGE CODE**

BE IT ORDAINED by the Board of Trustees of the Village of Palestine, Crawford County, Illinois, that CHAPTER 7, SEWER SERVICE, be, and the same is hereby amended as follows:

7.01 SEWER CONNECTION PERMIT.

- (a) Permit Required. No private sewer shall be connected to a public sewer in any street or other public place in the Village of Palestine, nor shall any private sewer be connected to any other private sewer discharging sewage into any public sewer in the village, without an application being made therefore and a permit being issued therefore, signed by the Village Clerk.
- (b) Application; Records. All applications for permits to so connect any private sewer shall be in writing, over the signature of the owner of the premises desired to be connected, or of his responsible agent, on blanks to be furnished by the village. Each such application shall give the location and clear description of the premises for which such connection is desired to be made. A record shall be kept of the exact location of all connections to be made to street sewers.
- (c) Bond. Each applicant, or the person employed by him to do the connecting, shall give a bond, with satisfactory surety or sureties, to be approved by the Village Clerk. The condition of the bond shall be that the applicant, or the person so employed by him, will indemnify and save harmless the Village of Palestine from any and all accidents and damages caused by negligence or otherwise in the execution of the work of making such connection, including all damage to any water main, sewer, drain or other pipe, and that such applicant, or the person employed by him, will conform to all the conditions and requirements of the village for making such connection, and will restore the street, alley, sidewalk, and pavement disturbed by him, or them, so as to leave the same in as good state and condition as before the work of the connection was undertaken. Such bond shall be in the sum of \$100, provided that any public utility, plumber, or builder regularly engaged in such operations may at any time furnish a bond in the sum of \$2,000 conditioned to cover his diligence in the performance of all work of sewer connection to be done by him in the Village of Palestine for a period of one year, which bond shall in like manner bear satisfactory surety or sureties, and shall be subject to the approval of the Village Clerk, and if approved, such bond shall be deemed and taken to the place of the above

named bond of \$100 to be furnished by such applicant, or the person employed by him to do the work.

- (d) Supervision of Work. As an additional guarantee for the proper connection of such house sewer, such connection shall only be made when the Chief of Police or some other suitable person to be named in the permit is present and approves of the method by which the work is being done.
- (e) Issuance; Fee. If upon such application being made it shall appear that the applicant has conformed to all the necessary requirements, and that the premises and sewer fixtures and appliances therein contained are entitled to be so connected, and the permit fee of \$25 has been paid, the required permit shall be issued to the applicant therefore. It shall be unlawful for anyone to make such connection without such permit being first obtained.
- (f) Special Connections. If the connection is to be made for a dwelling housing more than four families, or for a hotel, or by connection with the lateral sewer of another which connects with the village sanitary sewer, or by connecting with any other sewer owned by any person, the applicant shall first file with the Village Clerk an application showing the name of such person desiring to make such connection, the point at which it is desired that such connection be made, and the manner in which such connection is to be made.

The Village Clerk shall present such application to the Board of Trustees at its next meeting after such application is filed and if such application is approved and a permit granted, the Village Clerk will, upon payment of the permit fee of \$25, issue a permit to make the desired connection.

- (g) Payment of Charges. The permit shall be conditioned upon the further additional agreement of the person to pay the appropriate monthly charge hereinafter set out.

7.02 CONNECTION TO SEWER PIPE; Y OR T.

- (a) All connections with any sewer in any street or other public place in the village shall be made by means of the "Y" or "T" pipes provided in such sewer for that purpose. If a connection must be made any other place than where a "Y" or "T" branch has been provided, connection shall be made in the following manner:
- (b) Connection to the sewer pipe shall be made by the use of a tapping saddle, care being taken not to crack, break, injure, or disturb the pipe adjacent to the place where the tapping saddle is to be applied. Following the attachment of the saddle and careful provision for the opening into the sewer, the joint so created shall be cemented with liberal amounts of cement mortar. In no case will connection by tapping saddle be permitted in cases where a "Y" or "T" pipe is accessible in the main sewer. In every case of proposed connection to be made, whether said

connection be to any public sewer in any street, or other public place, or in the case of the proposed connection of any private sewer to any other private sewer discharging sewage onto any public sewer, notice shall be given to the Village Clerk of the time and place when and where the work of such connection is to commence. Such notice shall be in writing and shall be given at least one day prior to the commencement of the work.

7.03 RESTORATION OF STREET.

In case of connection so made the street disturbed shall be restored to its original condition within 48 hours from the time the work was commenced.

7.04 MONTHLY CHARGE BASIS.

At the time the permit is authorized to be issued, the applicant therefore shall prepare and file with the Village Clerk a statement, subscribed by the information which may be required to ascertain the amount of monthly charges required to be paid by said applicant in conformity with the schedule of monthly charges herein contained. Should the applicant, after being permitted to make connection the public sewer system, increase or decrease the basis upon which his or its monthly charges are made, the applicant shall file a revised statement to the effect with the Village Clerk, who shall present the same to the Board of Trustees for adjustment of the monthly charges to be made.

7.05 SEWER USE RATES.

There are established rates or charges for the use of and services supplied by the sanitary sewerage system of the Village of Palestine, as follows:

CLASSIFICATION AND MONTHLY CHARGES

Domestic (either permanent or mobile structure):

For each unit of residence of human habitation, whether Permanent or mobile, each mobile home, apartment or dwelling adapted for residential use being considered one unit.	\$ 22.00 Monthly
Each Apartment Complex Laundry Unit	\$ 22.00 Monthly
For churches, a flat rate of:	\$ 22.00 Monthly
For institutions, a flat rate of:	\$ 30.00 Monthly
For Palestine Grade School, a flat rate of:	\$ 55.00 Monthly

For Palestine High School, a flat rate of:	\$ 35.00 Monthly
For hospitals or nursing homes, a flat rate of:	\$ 40.00 Monthly
For rooming houses, a flat charge for each separate apartment of:	\$ 22.00 Monthly

Monthly rates shall be determined by the nature of usage of the sewer of the Village. The fact that multiple dwelling or mercantile units may be discharged in a common sewer outlet before discharging the Village sewer shall not relieve the individual users or Owners hereof from responsibility for the monthly flat charges herein fixed.

Stores, offices, mercantile and industrial establishments not otherwise classified:

For toilet or sink or lavatory installation, a flat rate of:	\$ 22.00 Monthly
For public laundries (with or without restroom facilities), a flat rate of:	\$ 50.00 Monthly
Car wash (with or without restroom facilities), a flat rate of:	\$ 50.00 Monthly
For grocery stores, a flat rate of:	\$ 40.00 Monthly
Pioneer City Meat Market, a flat rate of:	\$ 25.00 Monthly

Lodge and Club room:

For toilet or sink or lavatory installation, a flat rate of:	\$ 28.00 Monthly
AmVets Post #33, a flat rate of:	\$ 27.00 Monthly
Eagles Lodge, a flat rate of:	\$ 40.00 Monthly

Public buildings, schools and parks:

Garages or service stations without wash racks or floor drains, a flat rate of:	\$ 25.00 Monthly
Garages or service stations with wash racks or floor drains, a flat rate of:	\$ 30.00 Monthly
Restaurants, taverns and soft drink parlors, a flat rate of:	\$ 25.00 Monthly

Creameries, meat packing plants, poultry houses, and other waste producing industries not otherwise classified:

For any toilet or drain installations, a flat rate of: \$ 28.00 Monthly

Crawford County Deer Processing, a flat rate of: \$ 28.00 Monthly

Rural connections (a rural connection is one where the sewer usage originates outside the Village limits, a flat rate of: \$ 25.00 Monthly

Heavy diesel and gasoline truck and tractor repair garages, a flat rate of: \$ 50.00 Monthly

Biernbaum's Garage, a flat rate of: \$ 50.00 Monthly

In an industrial installation where the use of water is large, the rate for sewerage shall be subject to revision on account of quantity discharged into sewers and the strength or treatment demand of the sewage. The basis of any rate to be applied in such cases shall be the relation of treatment to demand and quantity of water discharge into sewers as compared with sewage from household establishments and the rate shall be in equitable proportions.

The Sewer Deposit Fee will be in effect for both renters and property owners alike. The Deposit Fee will be in the amount of \$100.00 and will be refundable at the time the residence is vacated, less any amount of sewer fees due.

Sewer Connection Fee \$400.00 Flat

7.06 LIABILITY FOR SEWER CHARGES; DUE DATES.

The owner of the premises and the occupant thereof and the user of said sewerage service, shall be jointly and severally liable to pay for the service on said premises, and the service is furnished to the premises by the Village of Palestine only upon the conditions that the owner of the premises, occupant, and user of the sewerage service are jointly and severally liable therefore to the Village of Palestine.

Bills shall be rendered monthly and shall be payable on or by the 30th day of the month following the date of the bill. If payment of the full amount of the bill is not made by the due date above established, then a penalty of 10 percent of the amount of the bill shall be added and collected.

7.07 DELINQUENT CHARGES.

In the event the rates or charges for sewerage service are not paid within 10 days after the due date of the bill for such services, such charges shall be

deemed and are hereby declared to be delinquent, and thereafter such delinquencies shall constitute liens upon the real estate for which services are supplied and the Village Treasurer, or any other duly authorized officer of the village, is hereby authorized and directed to file sworn statement showing such delinquencies in the office of the Recorder of Deeds of Crawford County, Illinois, and the filing of such statements shall be deemed notice of lien upon may be foreclosed by the Village of Palestine in the manner provided by the laws of the State of Illinois.

7.08 DISCONTINUING SERVICE.

- (a) If the rates or charges for such services are not paid within ten (10) days of the original due date of the bill for such services, the Village Treasurer shall give written notice to the user of the service and the owner of the premises to which the service was provided, that the delinquency exists, and that the Village will disconnect sewage service by disconnection of the water service to said premises after twenty (20) days have elapsed from the original due date of the bill of such services. In the event the premises uses well water, the Village will disconnect sewage service by disconnection of the service line or lines from the premises being served by such service from the Village's sewer lines.
- (b) Once service has been discontinued, and there has been a disconnection of service as provided hereinabove, then, prior to the reconnection of service, there shall first be paid all delinquent rates or charges due and owing to the Village. There shall also be paid to the Village prior to reconnection of service a reconnection fee as set by the Robinson-Palestine Water Commission for reconnections.

7.09 BILLING.

It is hereby made the duty of the Village Treasurer, or any agent of the Village of Palestine authorized for that purpose, to render bills for sewerage service and all other charges in connection therewith, and to collect all money due therefrom.

7.10 DISPOSITION OF REVENUES.

All revenues and moneys derived from the collection of the sewer use charges imposed by this chapter shall be received by the Village Treasurer, and shall be held and applied by him or her to the payment of charges made against the sewer fund upon the authority of the elected officers of the village.

7.11 ACCOUNTS.

The Village Treasurer shall cause to be established a proper system of accounts in which complete and accurate entries shall be made concerning the receipt of funds and the disbarment thereof. Such records shall be made available by the

Treasurer for audit in accordance with the directions of the elected officers of the Village of Palestine and laws of the State of Illinois.

7.12 FILING RATES.

A copy of this section duly and properly certified by the Village Clerk shall be filed in the office of the Recorder of Deeds in Crawford County, and the same shall be deemed to be notice to all owners, occupants, and the users of the sanitary sewerage system of the Village of Palestine, and of their liability for payment of the charges and services supplied for the occupant, or user thereof, or to property owned by them in the village. (504, 5/7/72)

7.13 WASTES IN STORM DRAINS.

It shall be unlawful for any person to connect or cause to be connected, any drain carrying, or to carry, any toilet, sink, basement, septic tank, cesspool, industrial waste, or any fixture or device discharging polluting substances, to any storm water drain in the Village of Palestine. (433, 5/5/55)

7.14 DISPOSITION OF WASTE WATERS.

No person shall discharge any sanitary or industrial waste water into other than the sanitary sewer system of the Village of Palestine. (494, 4/9/70)

7.15 PRIVIES AND SEPTIC SYSTEMS.

The use of any premises in the Village of Palestine in such manner as to create sewage thereon, not discharged into the sewerage system of the village, is hereby declared to be a nuisance. Every privy connected and used in any building and every septic not connected with the sewerage system of the village is declared to be a nuisance. This section shall be inapplicable to premises where connection with the sewerage system is declared to be feasible as to any premises abutting any street, alley, or other public way, or sewer right-of-way in which any line of the sewerage system of the village exists.

The owner of any premises so used as to create sewage or on which there exists any privy, or any tenant or other person occupying any such premises, is required to cause proper connection to be made with the sewerage system of the village within 30 days from the date when such connection with the sewerage system shall become feasible. (496, 5/7/70)

This Ordinance shall be effective for sewerage service on April, 2024.

This Ordinance shall remain in full force and effect upon its passage, approval and publication in pamphlet form as provided by law.

Upon roll call vote the following Trustees voted yea:

Upon roll call vote the following Trustees voted nay:

Passed, approved and published in pamphlet form this 4 day of April, 2024.

James R. Byrley
JAMES R. BYRLEY, Village President

ATTEST:

Kerry Watson
Kerry Watson, Village Clerk