

ORDINANCE PERTAINING TO PUBLIC HEALTH ESTABLISHING RULES

REGULATING WATER SUPPLY SYSTEMS AND SEWAGE DISPOSAL SYSTEMS.

WHEREAS, The Kendall County Board pursuant to the powers granted to it by the Statutes of the State of Illinois in such case made and provided therefore, deem it necessary to the public health of the people of Kendall County to pass these rules and regulations for the general health of the general public.

WHEREAS, these rules and regulations will fall within the jurisdictional authority of the Kendall County Health Department.

WHEREAS, the following rules and regulations herein sometimes will be referred to by the word "Ordinance".

NOW, THEREFORE, BE IT ORDAINED by the Kendall County Board, that "AN ORDINANCE PERTAINING TO PUBLIC HEALTH ESTABLISHING RULES REGULATING WATER SUPPLY SYSTEMS AND SEWAGE DISPOSAL SYSTEMS" be hereby adopted in its entirety.

ARTICLE I - GENERAL PROVISIONS

Section 1: No person shall occupy, lease or permit the occupancy of any building or structure which does not comply with the provisions of this ordinance.

Section 2: Every building occupied as a dwelling shall have a safe, uncontaminated water supply sufficient for the drinking, bathing, washing, and proper sanitation of all occupants; and shall also have a sewage system as provided herein, approved by the Kendall County Health Department.

Section 3: Every building where people are employed shall have access to both a safe, uncontaminated water supply sufficient for drinking for all employees and a sewage disposal system as provided herein, approved by the Kendall County Health Department.

Section 4: All sewage disposal systems shall be maintained so as to function properly. An Action for violation of this Section may be brought against the owner, leasee, or a manager of the property wherein the violation occurs.

Section 5: No water well, private water supply, or private sewage disposal system shall be constructed or altered unless a permit shall first have been obtained from the Kendall County Health Department. Permits shall be posted at the location of the water well, water supply, or sewage disposal system construction or alteration, or on the building which will be serviced by said water well, water supply, or sewage disposal system. Permit application shall contain plans,

specifications, lot lay-out and such further information or documents as the Kendall County Health Department or other lawful authority may require to insure a compliance with the requirements set forth herein. False information shall be deemed a violation of this ordinance.

Section 6: No more than four (4) single family residences constructed after the adoption of this ordinance may be served by a single well, unless served by a public water supply as defined by Chapter 111½ Section 121-a, Illinois Revised Statutes, 1977.

Section 7: Any person installing or repairing a private sewage disposal system in the County of Kendall must have a valid Private Sewage Disposal Contractors license as issued by the State of Illinois. This provision excludes a property owner who is installing a private sewage disposal system on his own property and for his own use.

ARTICLE II - ADOPTION BY REFERENCE

Be it ordained by the Kendall County Board as follows:

Section 1: With regard to the rules and regulations to provide minimum standards for location, construction, modification of water wells which are used to supply water for human consumption, installation of water well pumps or equipment employed in withdrawing or obtaining water from a well and includes such seals and safeguards as may be necessary to protect from contamination the water in the well and water being pump from the well, the 1973 Editions of the Illinois Department of Public Health Water Well Construction Code & Water Well Pump Installation Code and any subsequent revision, is hereby adopted by reference, providing that all wells constructed

in Kendall County shall be provided with an approved vent.

Section 2: With regard to the system for the regulation and inspection of Private sewage disposal contractors and a minimum code of standards for design, construction, materials, operation and maintenance of private sewage disposal systems, for the transportation and disposal of waste therefrom and for private sewage disposal systems servicing equipment, the 1974 Edition of the "Illinois Department of Public Health Private Sewage Disposal Licensing Act and Code" and any subsequent revision, is hereby adopted by reference, providing that Rule 7.01 A of said Act and Code shall be amended to read as follows: At least six (6) separate percolation tests shall be performed at the site of each proposed disposal area and that the results shall be reported on forms provided by the Kendall County Health Department.

ARTICLE III - INSPECTIONS, REVOCATIONS OR SUSPENSION OF PERMITS, PENALTIES

Section 1: Inspections

a. The owner or contractor shall give twenty-four (24) hours advance notice to the Kendall County Health Department before any backfilling of trenches and after the septic tank and seepage system has been installed. The same notice shall also apply before final inspection of any well or private water supply, and the trench leading from the pitless adapter to the pressure tank shall be left open.

* The contractor or his/her representative shall be present during the time of inspection.

* b. After identification and subject to constitutional limitations by the representative of Kendall County Health Department, it shall be

considered a violation of the ordinance for any person to refuse to allow said representative to inspect any well, private water supply, or sewage disposal system during reasonable hours.

c. It shall be a violation of this ordinance for any person except a representative of the Kendall County Health Department to remove or allow to be removed a "Notice of Violation" posted on any property for a violation of this ordinance.

Section 2: Revocation or Suspension of Permit

The Kendall County Health Department shall have the authority to revoke and suspend permits when they were issued in error, or where the provisions of this ordinance are violated. The reason for the revocation or suspension of a permit shall be posted in writing at the site, or mailed to the applicant at the address provided in the permit application.

* Section 3: Penalties

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or refuses to remedy a violation of the provisions of this ordinance, shall be guilty of a Class B misdemeanor and fined not less than \$100.00 for each offense. Each day upon which such violation continues shall constitute a separate offense.

ARTICLE IV - FEES

The fee for a well permit shall be \$15.00 and the fee shall accompany the permit application. The fee for a private sewage disposal system permit shall be \$15.00 and the fee shall accompany the permit

application. The fee for sewage disposal systems of capacity greater than fifteen (15) persons shall be \$30.00 and the fee shall accompany the permit application. The fee for a permit to modify a well or septic system shall be \$15.00 and the fee shall accompany the application. The fee for a survey of a private well and/or sewage disposal system shall be \$27.50 and the fee shall accompany the request.

ARTICLE VI - PARTIAL INVALIDITY AND EFFECTIVE DATE

A. Partial Invalidity

Should a court of competent jurisdiction hold that a part of this ordinance is invalid, such holding shall not invalidate the remainder.

B. Effective date

This ordinance shall be in full force thirty (30) days from date of publication. It is the express intention of the Kendall County Board that all parts of existing ordinances in conflict with this ordinance are hereby repealed and all parts thereof, not in conflict are hereby ratified and approved. BE IT FURTHER RESOLVED that this Kendall County Health Ordinance be printed in book or pamphlet form and published by authority of the Kendall County Board.

ADOPTED AND APPROVED THIS 13 DAY OF May 1980.

Robert S. Cherry
Chairman
Kendall County Board

Ayes: 9
Nays: 0
ATTEST: Jean P. Brady
Kendall County Clerk