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AGENDA
OF BUSINESS TO BE BROUGHT BEFORE THE MEETING
OF THE CITY COUNCIL OF ELMHURST, ILLINOIS, 209 NORTH YORK
MONDAY, JUNE 2, 2008
7:30 P. M.

- 1. Executive Session 7:00 p.m. – Litigation, Land Acquisition and Sale of Land (Conf. Room #2)**
- 2. Call to Order/ Pledge of Allegiance/Roll Call**
- 3. Receipt of Written Communications and Petitions from the Public**
- 4. Public Forum**
- 5. Consent Agenda**
 - a. Minutes of Regular Meeting Held on Monday, May 19, 2008 (City Clerk Spencer): Approve as published
 - b. Minutes of the Executive Session Held on Monday, May 19, 2008 (City Clerk Spencer): Receive and place on file
 - c. Accounts Payable – May 31, 2008 Total \$ 1,318,443.75
 - d. Cuvee Cellars, Ltd. Liquor License Request (City Manager Borchert): Refer to the Public Affairs and Safety Committee
 - e. Salt Creek Greenway Bike Path – Alderman Nybo and Alderman Moriarty (City Manager Borchert): Refer to the Public Affairs and Safety Committee
 - f. Sales Tax Rebate Request – Wilkins Buick/Mazda (City Manager Borchert): Refer to the Finance, Council Affairs and Administrative Services Committee
 - g. MCO-12-2008 – An Ordinance Amending Chapter 7 (Water and Sewers) of the Elmhurst Municipal Code
 - h. ZO-10-2008 – An Ordinance Granting a Conditional Use Permit for the Purpose of Operating a Masseur/Masseuse Services Facility on the Property Commonly Known as 191 South Route 83 (Massage Envy)
 - i. ZO-11-2008 – An Ordinance Amending Various Sections of the Elmhurst Zoning Ordinance in Connection with Front Porches, on Electronic Sign Displays, Supplemental Setbacks on York Street, Temporary Uses, Allowing City Facilities in the C/R Conservation/Recreation District as Permitted Uses, Allowing Municipal Parking Structures and Parking Lots as Permitted or Conditional Uses in the C-4 Central Business, O/I/C Office/Institutional/Cultural and C-1 Local Shopping Districts and Temporary Civic Banners
- 6. Reports and Recommendations of Appointed and Elected Officials**
 - a. Updates (Mayor Marcucci)
 - b. Redesign of City Website – Status Report (City Manager)
- 7. Other Business**
- 8. Announcements**
- 9. Adjournment**

Note: It is requested that cell phones be turned off or in vibrate mode during formal City Council Meetings. Please refrain from talking on cell phones in the Council Chambers during said meetings.

NOTE: Any person who has a disability requiring a reasonable accommodation to participate in this meeting, should contact Valerie Johnson, ADA Compliance Officer, Monday through Friday, 9:00 a.m. to 4:30 p.m., City of Elmhurst, 209 N. York Street, Elmhurst, IL 60126, or call 630-530-8095 TDD, within a reasonable time before the meeting. Requests for a qualified interpreter require five (5) working days' advance notice.

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF THE ELMHURST, ILLINOIS
HELD ON MONDAY, MAY 19, 2008
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

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**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, MAY 19, 2008
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

EXECUTIVE SESSION –LAND ACQUISITION AND LITIGATION

1. Executive session was called to order at 7:00 p.m. by Mayor Pro Tempore Rose for the purpose of discussing Land Acquisition and Litigation.

Present: Diane Gutenkauf, Norman Leader, Michael Bram, Susan Rose, John Gow, Moira Moriarty, Chris Nybo, George Szczepaniak, Steve Morley, Donna Lomnicki, Mark A. Mulliner

Absent: Michael Regan (arrived at 7:10 p.m.), Pat Shea (arrived at 7:10 p.m.), Stephen Hipskind

Also in attendance: City Attorney Kubiesa, City Manager Borchert, Police Chief Neubauer

Alderman Bram moved to convene into executive session for the purpose of discussing Land Acquisition and Litigation. Alderman Gutenkauf seconded. Roll call vote:

Ayes: Bram, Gutenkauf, Leader, Rose, Gow, Moriarty, Nybo, Szczepaniak, Morley, Lomnicki, Mulliner

Nays: None

11 yeas, 0 nays, 3 absent
Motion duly carried

Alderman Gow moved to adjourn executive session. Alderman Mulliner seconded. Voice vote. Motion carried. Executive session adjourned at 7:40 p.m.

CALL TO ORDER/ PLEDGE OF ALLEGIANCE/ROLL CALL

Attendance: 35

2. The Regular Meeting of the Elmhurst City Council was called to order by Clerk Spencer at 7:45 p.m.

Present: Michael J. Regan, Diane Gutenkauf, Norman Leader, Pat Shea, Michael Bram, Susan J. Rose, John Gow, Moira Moriarty, Chris Nybo, George Szczepaniak, Steve Morley, Donna Lomnicki, Mark A. Mulliner

Absent: Mayor Marcucci, Stephen Hipskind

Also in Attendance: City Attorney Kubiesa, City Manager Borchert, Police Chief Neubauer

In the absence of Mayor Marcucci, City Clerk Spencer asked for a motion to elect Alderman Rose Mayor Pro Tempore for tonight's meeting. Alderman Gow moved, Alderman Regan seconded. Voice vote, motion carried.

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

3. Shirley Myers, Chairman of the Senior Citizens Commission, presented a letter to Mayor Marcucci and members of City Council on behalf of the Senior Citizens Commission in support of the Ride DuPage transportation program.

PUBLIC FORUM

4. Shirley Myers
296 Adelia
Elmhurst, IL 60126

Spoke as Chairman of the Senior Citizens Commission regarding their support of the Ride DuPage transportation program.

Joe Maniola
569 Fairview
Elmhurst, IL 60126

Spoke regarding the proposed Salt Creek Greenway bike path and safety concerns.

John Skawski
565 Fairview
Elmhurst, IL 60126

Spoke regarding the proposed Salt Creek Greenway bike path and safety concerns.

Migal Sanchez
421 Huntington Lane
Elmhurst, IL 60126

Spoke regarding concerns for air pollution, carbon dioxide emissions and possibly reducing fees on city stickers for hybrid vehicles.

Ken Murczyk
576 S. Fairview
Elmhurst, IL 60126

Spoke regarding the proposed Salt Creek Greenway bike path and safety concerns.

Dave Muno
517 Fairview
Elmhurst, IL 60126

Spoke regarding the proposed Salt Creek Greenway bike path and safety concerns.

Rick Williams
582 Fairview
Elmhurst, IL 60126

Spoke regarding the proposed Salt Creek Greenway bike path and safety concerns.

Gina Medina
432 Hawthorne
Elmhurst, IL 60126

Spoke regarding the proposed Salt Creek Greenway bike path and safety. She also expressed concern of her newly constructed home at 561 Fairview and property values.

Michelle Walker
507 Fairview
Elmhurst, IL 60126

Spoke regarding the proposed Salt Creek Greenway bike path and safety concerns.

Phil Schlitter
666 Fairview
Elmhurst, IL 60126

Spoke regarding the proposed Salt Creek Greenway bike path and safety concerns.

Brian Gleason
514 S. Fairview
Elmhurst, IL 60126

Spoke regarding safety at Vallette and Montrose.

Karen Lepke
529 Fairview
Elmhurst, IL 60126

Spoke regarding the proposed Salt Creek Greenway bike path and safety concerns.

Linda McDonald
660 Fairview
Elmhurst, IL 60126

Spoke regarding the proposed Salt Creek Greenway bike path and safety concerns.

Pete DiCianni
619 Hillside
Elmhurst, IL 60126

Spoke regarding the proposed Salt Creek Greenway bike path and safety concerns.

Mike Larson
566 Sunnyside
Elmhurst, IL 60126

Former resident of 602 Fairview. Spoke regarding the proposed Salt Creek Greenway bike path and safety concerns.

Barry Rollins
736 Fairview
Elmhurst, IL 60126

Spoke regarding the proposed Salt Creek Greenway bike path and safety concerns.

Doug Wing
551 Fairview
Elmhurst, IL 60126

Spoke regarding the proposed Salt Creek Greenway bike path and safety concerns.

Tom Naples
641 Fairview
Elmhurst, IL 60126

Spoke regarding the proposed Salt Creek Greenway bike path and safety concerns.

CONSENT AGENDA

5. The following items on the Consent Agenda were presented:
 - a. MINUTES OF REGULAR MEETING HELD ON MONDAY, MAY 5, 2008 (City Clerk Spencer): Approve as published
 - b. MINUTES OF THE EXECUTIVE SESSION HELD ON MONDAY, MAY 5, 2008 (City Clerk Spencer): Receive and place on file
 - c. ACCOUNTS PAYABLE – MAY 19, 2008 TOTAL \$ 1,152,402.18
 - d. REAPPOINTMENT TO BOARD OF FIRE AND POLICE COMMISSIONERS – CATHCART (Mayor Marcucci): Concur with Mayor Marcucci's recommendation

April 18, 2008

To: Members of the City Council
Re: Reappointment to Board of Fire and Police Commissioners - Cathcart

With your advice and consent, I will reappoint Thomas M. Cathcart to the Board of Fire and Police Commissioners for a term to expire May 1, 2011.

Respectfully submitted,
/s/ Thomas D. Marcucci
Mayor

- e. BIDS, STREETLIGHT POLE PAINTING (City Clerk Spencer): Refer to the Public Works and Buildings Committee

May 13, 2008

To: Mayor Marcucci and Members of the City Council
Re: Bids, Streetlight Pole Painting

In response to an invitation to bid on the Streetlight Pole Painting advertised in the Elmhurst Press on Friday, April 25, 2008, bids were received from three area contractors.

Bids were opened at 10:00 a.m. on Tuesday, May 13, 2008, and following is a summary of the bids received:

<u>Contractor</u>	<u>Total Cost</u>
Alpha Paintworks, Inc. (Chicago, IL)	\$19,450.00
Olson Commercial Painting (St. Charles, IL)	\$23,850.00
GP Maintenance Services, Inc. (Palos Hills, IL)	\$30,400.00

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- f. POLICY FOR RAIN GARDENS FOR REAR YARD DRAINAGE – ALDERMAN LEADER AND ALDERMAN ROSE (City Manager Borchert): Refer to the Public Works and Buildings Committee

May 6, 2008

To: Mayor Marcucci and Members of the City Council
Re: Policy for Rain Gardens for Rear Yards Drainage -
Alderman Leader and Alderman Rose

It is respectfully requested that the attached request from Alderman Norm Leader and Alderman Susan Rose regarding the policy for rain gardens for rear yards drainage be referred to the Public Works and Building Committee for their review and recommendation.

Respectfully submitted,
/s/ Thomas P. Borchert
City Manager

- g. BIKE SAFETY – ALDERMAN ROSE, ALDERMAN MULLINER AND ALDERMAN MORLEY (City Manager Borchert): Refer to the Public Affairs and Safety Committee

May 6, 2008

To: Mayor Marcucci and Members of the City Council
Re: Bike Safety – Ald. Rose, Ald. Mulliner & Ald. Morley

It is respectfully requested that the attached request from Alderman Susan Rose, Alderman Mark Mulliner and Alderman Steven Morley regarding bike safety be referred to the Public Affairs and Safety Committee for their review and recommendation.

Respectfully submitted,
/s/ Thomas P. Borchert
City Manager

- h. REQUEST FROM ELMHURST PARK DISTRICT – JOINT PARK DISTRICT/CITY COMMITTEE (City Manager Borchert): Refer to the Finance, Council Affairs and Administrative Services Committee

May 9, 2008

To: Mayor Marcucci and Members of the City Council
Re: Request from Elmhurst Park District - Joint Park District/City Committee

It is requested that the attached correspondence from Colette M. Kubiesa, Elmhurst Park Board President regarding creating a joint Park District and City Committee be forwarded to the Finance, Council Affairs and Administrative Services Committee for their review, evaluation and subsequent recommendation for City Council consideration.

Respectfully submitted,
/s/ Thomas P. Borchert
City Manager

- i. REPORT – 2008 WATER METER PURCHASE The following report of the Public Works and Buildings Committee was presented:

May 12, 2008

TO: Mayor Marcucci and Members of the City Council
RE: 2008 Water Meter Purchase

The Public Works and Buildings Committee met on Monday, May 12, 2008 to discuss the purchase of Automated Meter Reading (AMR) units necessary for new construction, water meter upgrades, replacement of existing water meters, and to continue our radio AMR system integration project.

The City standard, Neptune Water meters, are purchased directly from Neptune Technologies Corporation and are not competitively bid. The City has standardized purchasing Neptune meters at this time because it is compatible with the current Automatic Meter Reading (AMR) system/equipment, reduces unnecessary inventory supplies, and is a quality product. Neptune Technologies has agreed to maintain their pricing for this purchase at last year's level, \$82.00 per unit.

The current pricing and quantities to be ordered are summarized as follows:

<u>Quantity</u>	<u>Unit Type</u>	<u>Total Cost</u>
2000	R900 AMR Units	\$164,000.00

The unit is an outside remote AMR radio frequency device attached for the ease of recording the customer's water consumption. The meter reading is accomplished by simply walking or driving by the customer home and collecting the reads through the radio receiving handheld unit.

Funds have been provided in the 2008/2009 budget, Municipal Utility Fund, account number 510-6052-501-40-68 (Water Meters), in the amount of \$250,000 for the purchase of water meters.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the proposal from Neptune Technologies for the listed pricing and quantity shown in the amount of \$164,000.00 be accepted.

Respectfully submitted,
Public Works and Building Committee

/s/ John E. Gow

Chairman

/s/ Michael Regan

Vice-Chairman

/s/ Donna Lomnicki

/s/ Pat Shea

- j. REPORT – ELMHURST'S SENIOR/DISABLED TRANSPORTATION PROGRAMS AND RECOMMENDATION TO CONSIDER RIDE DUPAGE The following report of Public Affairs and Safety Committee was presented:

March 24, 2008

To: Mayor Marcucci and Members of the City Council
RE: Elmhurst's Senior/Disabled Transportation Programs and Recommendation to Consider Ride DuPage

The Public Affairs and Safety Committee met on March 10, 2008 and again on March 24, 2008 to discuss the recommendation from the Director of Finance and Administration, Marilyn Gaston to provide the financial support estimated to be necessary to allow the Ride DuPage Program to be provided to the Elmhurst community.

Staff began to research transportation alternatives when residents who are wheelchair-bound contacted City Hall regarding the lack of accessibility of the current taxi services. Ride DuPage is a viable alternative to all of the City's current transportation programs. This program was developed by the Inter Agency Paratransit Coordinating Council (IAPCC). IAPCC has designated DuPage County as the lead agency for this program, and the County has contracted with Pace Suburban Bus to manage the day-to-day operations of Ride DuPage.

An analysis of the current programs and proposed program recommendation follows:

1. The current Elmhurst Taxi Program allows Elmhurst disabled and senior (65+ years old) residents to travel anywhere within the City limits for \$1.40 each way for a limit of 20 one-way trips per month. The average annual cost, net of the \$1.40 per ride resident payment, of this program for the past five fiscal years 2003 through 2007 was \$26,398 for senior residents and \$2,631 for disabled residents. For the period of March 2007 through July 2007, the average number of monthly one-way rides was 424 rides.
2. The current DuPage County Pilot II Taxi Program is a coupon-based program that allows disabled and senior (65+ years old) persons to ride anywhere in DuPage County at half price. Coupons are purchased at a cost of \$2.50 each and have a face value of \$5.00 when used towards payment of taxi service. The average annual cost of the Pilot II Taxi Program for the five fiscal years 2003 through 2007 was \$11,500. The average annual revenue for the same period was \$5,475 for a net annual cost of \$6,025. Approximately 2,200 coupons are sold annually.
3. The City's total average net cost annually for the City's two transportation programs is \$35,054.

Ride DuPage is a transportation service that operates 7 days a week, 24 hours per day. Municipalities, townships and social service organizations can participate by subsidizing transportation for their clients.

Each sponsoring agency determines the following for its residents: eligibility criteria for riders such as age, disability or income, service boundaries and fare paid by resident rider. Based on the agencies currently using Ride DuPage (Glen Ellyn, Naperville, Naperville Township, Lisle

Township, DuPage County Human Services and DuPage County Senior Services); the average length per one-way trip is five miles. The average total cost for that trip is \$19, which is a combination of the average cost per trip of \$16 and the average call center cost per trip of \$3.

The proposed eligibility criteria for Elmhurst resident riders would be:

- a. 65+ years of age
- b. Disabled (must possess a valid RTA Paratransit card)
- c. Serving Entire DuPage County.
- d. Serving Cook County Hospitals/Doctors' Offices only
- e. Flat rate of \$24 to O'Hare and \$36 to Midway (price includes tip)
- f. Fare of \$1 flag pull and \$1 per mile would generate a net expense of approximately \$76,000 annually. The cost to the resident for a three mile ride would be \$4.00 compared to \$1.40 with the current program.

The Ride DuPage advantages over the current programs include:

- a. Mini buses are wheelchair accessible; curb to curb service
- b. Greater range of travel beyond DuPage County
- c. High on-time percentage of 94% for taxis and buses
- d. One-time registration
- e. Tip included in fare
- f. Pace approves all drivers
- g. Central call center with "live" people
- h. Total trip cost is provided at time ride is scheduled

The listed benefits outweigh the increased costs to the City and residents. The proposed 2008/2009 proposed budget reflects implementation of Ride DuPage.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve the implementation of the Ride DuPage program, in place of the current Elmhurst Taxi program and DuPage County Pilot II program. Although the cost for Ride DuPage is greater than the cost for current transportation programs, this program provides a wider range of travel, a 24/7 operation, handicap accessibility, and a one-time registration. It is also the recommendation of the committee that the proposed Ride DuPage program be evaluated in six months and one year to assess rider ship and cost.

Respectfully submitted,
Public Affairs and Safety Committee

/s/ Mark A. Mulliner

Chairman

/s/ Michael Bram

Vice-Chairman

/s/ Chris Nybo

- k. REPORT – CASE NUMBER 08 P-02/CITY OF ELMHURST ZONING ORDINANCE TEXT AMENDMENTS The following report of the Development, Planning and Zoning Committee was presented:

May 13, 2008

TO: Mayor Marcucci and Members of the City Council

RE: Case Number 08 P-02/City of Elmhurst Zoning Ordinance Text Amendments

Request by the City of Elmhurst, as petitioner, to amend certain provisions of the Elmhurst Zoning Ordinance.

The Development, Planning and Zoning Committee met on March 24 and May 12, 2008, to review the application and details regarding this request. The Committee reviewed appropriate sections of the Zoning Ordinance, and the transcript of the public hearing.

The City of Elmhurst, as applicant, is requesting amendments to the Zoning Ordinance as follows:

1. Add language to Chapter 7, Part A, Section 4c to allow administrative approval of front

porches that extend up to 6 feet into the average front yard.

2. Add language to Chapter 11, Section 11.5-1 that restricts display to amber text on black background without scrolling, flashing or other movements between text messages.
3. Delete Section 4.6-7b in its entirety. With the adoption of the North Downtown Business District Plan (an amendment to the Comprehensive Plan approved in 2000), and subsequent approval of the new C4A North Downtown Business Zoning District, the Zoning and Planning Commission and City Council approved the concept of "streetwall", or the placement of buildings on the front property line which helps to establish a more traditional downtown development pattern and design character along York Street. The new C4A district provides that new structures be located close to the street right-of-way (front property line).
4. Revise Section 4.10 regarding Temporary Uses and Events to allow administrative approval (City Manager) of temporary use and special event requests, subject to all the same requirements (such as duration of permit and provision of cash bond).
5. Add language to allow "Buildings and/or Facilities owned, operated or controlled by the City of Elmhurst" as permitted uses in the C/R Conservation/Recreation District.
6. Add "Municipal Parking Garages or Structures" and Municipal Lots for the storage of private passenger automobiles" as permitted uses in the C4 Central Business District, the O/I/C Office/Institutional/Cultural District and the C1 Local Shopping District (Spring Road area). Also add "Parking Garages or Structures, other than accessory" as a Conditional Use in the C1 Local Shopping District, and "Parking Garages or Structures, other than accessory" and "Parking Lots, open and other than accessory, for the storage or private passenger automobiles" as Conditional Uses in the C4 Central Business District.
7. Revise Section 11.9-2 to allow City Manager approval of Civic Banner requests.

During their review, the DPZ Committee reviewed these proposed changes in detail and discussed how they will help streamline and refine the Zoning Ordinance. Ultimately, the Committee concluded review and discussion with a positive recommendation regarding the proposed text amendments as detailed above. Therefore, the Development, Planning and Zoning Committee recommends approval of the requested text amendments. The City Attorney is hereby directed to prepare the necessary documents for City Council approval.

Respectfully submitted,
Development, Planning and Zoning
Committee

/s/ Susan J. Rose
Chairman

/s/ Norman Leader
Vice-Chairman

/s/ Diane Gutenkauf

1. REPORT – CASE NUMBER 08 P-03/MESSAGE ENVY CONDITIONAL USE The following report of the Development, Planning and Zoning Committee was presented:

May 13, 2008

TO: Mayor Marcucci and Members of the City Council

RE: Case Number 08 P-03/Message Envy Conditional Use

Request for a Conditional Use Permit for the purpose of operating a Masseur/Masseuse Services Facility on property commonly known as 191 S. Route 83 (PIN 06-03-417-016) (Elmhurst Crossing Shopping Center) said property being wholly located within the C2 Community Shopping and Service District.

The Development, Planning and Zoning Committee met on May 12, 2008, to review the application and information regarding the subject request. This included documents supplied by the applicant, and the public hearing transcript for this request.

Tom and Kathy Durand, applicants and franchisees of the proposed Massage Envy Conditional Use, were present to answer questions from the DPZ Committee. The Committee reviewed the use, its location, and the floor plan. The Committee posed several questions for response by the Durands. Questions regarding buildout of the space and business procedures were reviewed as well. The Committee noted that Massage Envy facilities are designed and built out in accordance with all local building codes, including ADA requirements. In addition, all massage therapists are required to be licensed and certified from an accredited massage college having at least 500 hours of educational credits. Massage Envy is a national franchising organization based in Arizona whose focus is therapeutic massage. There are 375 clinics currently in operation with an additional 368 under development.

The Committee reviewed the Standards for Conditional Use and supports the request based on these Standards. Therefore it is the recommendation of the Development, Planning and Zoning Committee to recommend approval of this conditional use request. The City Attorney is hereby directed to prepare the necessary documents for City Council review and approval.

Respectfully submitted,
Development, Planning and Zoning
Committee

/s/ Susan J. Rose

Chairman

/s/ Norman Leader

Vice-Chairman

/s/ Diane Gutenkauf

- m. MCO-10-2008 – AN ORDINANCE IMPOSING PARKING RESTRICTIONS ON HILLSIDE AVENUE

Ordinance MCO-10-2008 was presented for passage.

- n. R-11-2008 – A RESOLUTION APPROVING THE YORKFIELD AREA WATER SYSTEM PURCHASE AGREEMENT BY AND BETWEEN THE CITY OF ELMHURST AND THE VILLAGE OF OAK BROOK

Resolution R-11-2008 was presented for passage.

Alderman Nybo pulled item 5g. **Bike Safety – Alderman Rose, Alderman Mulliner and Alderman Morley (City Manager Borchert): Refer to the Public Affairs and Safety Committee.** Alderman Shea pulled item 5k. **Report – Case Number 08 P-02/City of Elmhurst Zoning Ordinance Text Amendments.** Alderman Gow pulled item 5l. **Report – Case Number 08 P-03/Massage Envy Conditional Use.**

Alderman Mulliner moved to accept the contents of the Consent Agenda less items 5g. **Bike Safety – Alderman Rose, Alderman Mulliner and Alderman Morley (City Manager Borchert): Refer to the Public Affairs and Safety Committee, 5k. Report – Case Number 08 P-02/City of Elmhurst Zoning Ordinance Text Amendments and 5l. Report – Case Number 08 P-03/Massage Envy Conditional Use.** Alderman Bram seconded. Voice vote unanimous, motion carried. Alderman Regan moved to approve the contents of the Consent Agenda less items 5g. **Bike Safety – Alderman Rose, Alderman Mulliner and Alderman Morley (City Manager Borchert): Refer to the Public Affairs and Safety Committee, 5k. Report – Case Number 08 P-02/City of Elmhurst Zoning Ordinance Text Amendments and 5l. Report – Case Number 08 P-03/Massage Envy Conditional**

Use. Alderman Gow seconded. Roll call vote:

Ayes: Regan, Gow, Gutenkauf, Leader, Shea, Bram, Rose, Moriarty, Nybo, Szczepaniak, Morley, Lomnicki, Mulliner

Nays: None

Results: 13 ayes, 0 nays, 1 absent
Motion duly carried

Alderman Nybo stated he pulled item **Bike Safety – Alderman Rose, Alderman Mulliner and Alderman Morley (City Manager Borchert): Refer to the Public Affairs and Safety Committee** to request from City Manager Borchert all information from a prior committee report issued regarding streets too narrow for bike safety.

Alderman Rose moved to accept item **5k. Report – Case Number 08 P-02/City of Elmhurst Zoning Ordinance Text Amendments**. Alderman Gutenkauf seconded.

Alderman Shea pulled the report to get a clarification on item #3, setbacks in the C4A Business District.

Alderman Gutenkauf stated the purpose of the change is to have the text read the same as for the downtown district.

Alderman Rose added that this language allows it to be consistent with that of the downtown.

Alderman Szczepaniak commented on item #2, signs. He stated the amber on black used on the York High School sign is difficult to see, and asked why amber on black.

Alderman Gutenkauf stated that the amber on black is supposed to be the most legible and not be a distraction to drivers.

Alderman Mulliner added York High School has older technology. Newer technology is far more legible.

Alderman Gow asked for clarification on item #7, civic banners. He asked if the civic banners are for the underpass only or global.

Alderman Rose replied that this applies to underpass banners.

Alderman Moriarty stated that she is in favor of City Manager approval of civic banner requests, as this saves paper.

Roll call vote on item **5k. Report – Case Number 08 P-02/City of Elmhurst Zoning Ordinance Text Amendments:**

Ayes: Rose, Gutenkauf, Regan, Leader, Shea, Bram, Gow, Moriarty, Nybo, Szczepaniak, Morley, Lomnicki, Mulliner

Nays: None

Results: 13 ayes, 0 nay, 1 absent
Motion duly carried.

Alderman Rose moved to accept item **5l. Report – Case Number 08 P-03/Massage Envy Conditional Use**. Alderman Gutenkauf seconded.

Alderman Gow stated he pulled the report so that the Development, Planning and Zoning Committee can assure him that **Massage Envy** is in the therapeutic massage business. Alderman Rose stated that the Development, Planning and Zoning Committee reviewed what differentiates this business from a massage parlor. She stated there are 375 franchised **Massage Envy** locations in the United States. Each therapist is licensed and continuing education is required. They treat

sports injuries and physical disabilities. The company has a method in place for anyone who has another type of service in mind and employee background checks are required.

Alderman Morley asked where in Elmhurst Crossings this will be located and what type of signage will be put up.

Alderman Rose replied the ReMax space and the shopping center has control of signage and it will comply with City code.

Alderman Mulliner asked who does the background check and who monitors the licensing.

Alderman Gutenkauf replied the Elmhurst Police Department and the State of Illinois.

Roll call vote on item 5I. **Report – Case Number 08 P-03/Massage Envy Conditional**

Use:

Ayes: Rose, Gutenkauf, Regan, Leader, Shea, Bram, Gow, Moriarty, Nybo,
Szczepaniak, Morley, Lomnicki

Nays: Mulliner

Results: 12 ayes, 1 nay, 1 absent
Motion duly carried.

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

6. Alderman Mulliner stated that the Public Affairs and Safety Committee will address the issue of bike safety. He also wanted to address the concerns regarding the Salt Creek Greenway bike path brought up by residents during the Public Forum portion of the Council meeting. He stated it is a Park District issue and he has spoken to Mr. Grodsky and he assured me he will address your concerns.

Alderman Szczepaniak reported that City staff presented the Finance, Council Affairs and Administrative Services Committee with a good recommendation to change the City's fiscal calendar to January beginning in 2010.

Alderman Gutenkauf stated that the Salt Creek Greenway bike trail will go through the First Ward, Monterey Street, as well.

Alderman Nybo stated he is proud of his neighbors for voicing their concerns. The Council can help with this issue. He also thanked Aldermen Mulliner and Rose for bringing the issue of bicycle safety to the Council.

Alderman Gow commented on the timing of the creation of the Joint Park District/City Committee. He stated the issue of the Salt Creek Greenway bike trail is a perfect example of the two governing bodies working together.

Alderman Moriarty stated she looks forward to the report from the Public Affairs and Safety Committee on the issue of bicycle safety.

City Manager Borchert stated that the concerns of the residents regarding the bike path will be brought to Mr. Grodsky's attention. It is a Park District issue, but the City will work with the Park District and report back to the Council.

Mr. Borchert announced the Memorial Day Parade will be held on Monday, May 26th. Step off is at 9:30 a.m.

OTHER BUSINESS

7. None.

ANNOUNCEMENTS

8. None.

ADJOURNMENT

9. Alderman Regan moved to adjourn the meeting. Aldermen Szczepaniak seconded. Voice Vote. Motion carried. Meeting adjourned 8:59 p.m.

Thomas D. Marcucci, Mayor

Patty Spencer, City Clerk

CITY OF ELMHURST

ACCOUNTS PAYABLE SUMMARY SHEET

MAY 31, 2008

11

<u>CHECKS</u>	<u>REGULAR</u>	<u>INTERIM</u>	<u>TOTAL</u>
GENERAL FUND	\$775,381.58	\$7,989.48	\$783,371.06
LIBRARY FUND	18,201.56	-	18,201.56
REDEVELOPMENT FUND	15,469.43	-	15,469.43
INDUSTRIAL DEVELOPMENT FUND	56.25	-	56.25
RT 83 COMMERCIAL DEVELOP	18.75	-	18.75
PUBLIC FACILITIES CONSTR	24,000.00	-	24,000.00
MUNICIPAL UTILITY FUND	446,243.54	4,072.24	450,315.78
PARKING REVENUE SYSTEM FUND	8,177.53	5,976.66	14,154.19
FIRE PENSION FUND	4,856.73	-	4,856.73
POLICE PENSION FUND	8,000.00	-	8,000.00
	<u>1,300,405.37</u>	<u>18,038.38</u>	<u>1,318,443.75</u>

FINANCE REVIEW

Mary K. Gorton

CITY MANAGER REVIEW

James P. Buel

TO THE CITY TREASURER,

THE PAYMENT OF THE ABOVE LISTED AMOUNTS HAS BEEN APPROVED BY THE CITY COUNCIL AT A MEETING HELD ON JUNE 2, 2008 AND YOU ARE HEREBY AUTHORIZED TO PAY THEM FROM THE APPROPRIATE BUDGET ACCOUNT.

MAYOR

CITY CLERK

PREPARED 05/27/2008, 11:55:22
 PROGRAM: GM339L
 CITY OF ELMHURST, ILLINOIS
 CITY

EXPENDITURE APPROVAL LIST
 AS OF: 05/31/2008 CHECK DATE: 06/05/2008

BANK: 01

INVOICE NO	VENDOR NAME	VOUCHER NO	P.O. NO	BNK NO	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0017194	ABBOTT PARTY RENTAL	001490			01 05/16/2008	110-6040-431.60-11	OPEN HOUSE RENTALS	117052	81.13
8187-1							VENDOR TOTAL *	.00	81.13
0008401	ACCURATE TANK TECHNOLOGIES	001665			01 05/31/2008	110-6047-512.50-02	HOSE REPLACEMENT	1,366.00	
12856		001666			01 05/31/2008	110-6047-512.50-16	HOSE REPLACEMENT	1,366.00	
12856							VENDOR TOTAL *	2,732.00	
0000009	ACE HARDWARE	001298			01 05/31/2008	110-2008-413.40-31	BATTERIES	6.99	
253919		001382			01 05/31/2008	110-4020-422.50-01	PLUNGER	7.19	
253972		001419			01 05/31/2008	110-4020-422.40-98	CLEANING SUPPLIES	34.83	
254222		001420			01 05/31/2008	110-4025-424.40-98	BATTERIES	11.99	
254225		001373			01 05/31/2008	110-5030-421.40-98	KEYS/TAG/RING	22.05	
254152		001376			01 05/31/2008	110-5030-421.50-01	UPHOLSTERY CLEANER/BRUSH	7.00	
254062		001377			01 05/31/2008	110-5030-421.50-01	DOOR STOP REPAIR	3.59	
253874		001378			01 05/31/2008	110-5030-421.50-01	FAUCET REPAIR	25.16	
253875		001379			01 05/31/2008	110-5030-421.50-01	FAUCET REPAIR	13.83	
253910		001381			01 05/31/2008	110-5030-421.50-01	SINK REPAIR	50.38	
254036		001299			01 05/31/2008	110-6041-432.40-98	BLADES/BITS	17.58	
253586		001374			01 05/31/2008	110-6046-418.50-01	DOOR/LEAK REPAIR	13.18	
253998		001380			01 05/31/2008	110-6046-418.50-01	PUMP REPAIR	10.78	
253845		001417			01 05/31/2008	110-6046-418.40-53	PLIERS	28.78	
253973		001375			01 05/31/2008	110-7060-451.50-01	MOP	15.29	
254043		001418			01 05/31/2008	510-6057-502.50-08	PUMP REPAIR	10.42	
253884							VENDOR TOTAL *	279.04	
0010266	ACME TRUCK BRAKE & SUPPLY	001325			01 05/31/2008	110-6047-512.50-16	TRK/PARTS PW198/STOCK	27.08	
1281330109							VENDOR TOTAL *	27.08	
0002416	ADDISON AUTO INTERIORS	001732			01 05/31/2008	110-6047-512.50-02	SEAT REPAIR	95.00	
9827		001733			01 05/31/2008	110-6047-512.50-02	SEAT REPAIR	95.00	
9837							VENDOR TOTAL *	190.00	
0008511	ADDISON FIRE PROTECTION	001410			01 05/31/2008	110-4020-422.60-25	ANNUAL AFFILIATION FEE	100.00	
05/01/2008							VENDOR TOTAL *	100.00	
0007385	ADI	001812			01 05/31/2008	110-2008-413.40-31	MINOR EQUIP	414.46	
F7NR2201							VENDOR TOTAL *	414.46	
0008328	ADT SECURITY SERVICES, INC.	001365			01 05/31/2008	110-7060-451.30-98	SECURITY SVCS	133.75	
71525781							VENDOR TOTAL *	133.75	
0014376	AEREX PEST CONTROL						VENDOR TOTAL *	133.75	

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VENDOR NAME	VOUCHER NO	P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
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0014376	AEREX PEST CONTROL							
750141	001623		01	05/31/2008	110-4020-422.50-01	PEST CONTROL	20.00	
750140	001624		01	05/31/2008	110-4020-422.50-01	PEST CONTROL	30.00	
750139	001621		01	05/31/2008	110-5030-421.50-01	PEST CONTROL	40.00	
749377	001388		01	05/31/2008	110-6046-418.50-01	PEST CONTROL	20.00	
750321	001622		01	05/31/2008	110-6046-418.50-01	PEST CONTROL	80.00	
750136	001626		01	05/31/2008	110-6046-418.50-01	PEST CONTROL	40.00	
750137	001627		01	05/31/2008	110-6046-418.50-01	PEST CONTROL	50.00	
749933	001625		01	05/31/2008	110-7060-451.50-01	PEST CONTROL	25.00	
750320	001628		01	05/31/2008	110-7060-451.50-01	PEST CONTROL	20.00	
						VENDOR TOTAL *	325.00	

0007472	AIRGAS NORTH CENTRAL							
105871375	001220		01	05/31/2008	110-6047-512.40-98	SUPPLIES	331.20	
						VENDOR TOTAL *	331.20	

0012050	ALERT INTERNATIONAL							
1114	001252		01	05/31/2008	110-5030-421.60-37	MEMBERSHIP	40.00	
						VENDOR TOTAL *	40.00	

0000016	ALEXANDER EQUIPMENT CO INC							
56828	001839		01	05/31/2008	110-6043-434.50-08	STUMPER TEETH	278.60	
						VENDOR TOTAL *	278.60	

0016508	ALL AMERICAN LANDSCAPING LTD							
358	001426		01	05/31/2008	110-6043-434.30-34	MOWING LAWN	200.00	
359	001427		01	05/31/2008	110-6043-434.30-34	MOWING LAWN	200.00	
357	001428		01	05/31/2008	110-6043-434.30-34	MOWING LAWN	200.00	
						VENDOR TOTAL *	600.00	

0016250	ALLIED GARAGE DOOR INC.							
90077	001600		01	05/31/2008	110-5030-421.50-01	DOOR REPAIR	210.50	
						VENDOR TOTAL *	210.50	

0000078	ALLIED WASTE SERVICES #551							
0551-00227278	001240		01	05/31/2008	510-6056-502.30-81	WASTE DISPOSAL	773.00	
						VENDOR TOTAL *	773.00	

0005297	AMERICAN CHARGE SERVICE							
05/20/2008	001867		01	05/31/2008	110-0083-443.60-49	SENIOR CITIZEN TAXI SVC	132.20	
05/20/2008	001868		01	05/31/2008	110-0083-443.60-19	DISABLED CITIZEN TAXI SVC	44.00	
						VENDOR TOTAL *	176.20	

0009254	ANALYTICAL PRODUCTS GROUP							
171351	001452		01	05/31/2008	510-6057-502.30-33	QUALITY ASSURANCE TESTING	230.00	
						VENDOR TOTAL *	230.00	

0013255	ANDERSON ELEVATOR CO							
82868	001390		01	05/31/2008	110-7060-451.50-01	MONTHLY MAINT FEE	156.51	
						VENDOR TOTAL *	156.51	

EXPENDITURE APPROVAL LIST
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PREPARED 05/27/2008, 11:55:22
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 CITY OF ELMHURST, ILLINOIS
 CITY

BANK: 01

VENDOR NAME	VENDOR NO	INVOICE NO	VOUCHER NO	P.O. NO	BNK CHECK/DUE DATE	ACCOUNT NO	DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
ANDERSON ELEVATOR CO	0013255								
ANDERSON LOCK	0000035	550271	001717		01 05/31/2008	510-6057-502.50-01	DOOR STRIKE REPLACEMENT	156.51	
ARCADIA BUILDING	0010625	MAY 2008	001865		01 05/31/2008	530-0088-503.30-59	SCHILLER CT PARKING LEASE	368.48	
ARROW UNIFORM	0000039							500.00	
	06-273281		001471		01 05/31/2008	110-6041-432.40-62	UNIFORM SUPPLIES	102.18	
	06-276186		001711		01 05/31/2008	110-6041-432.40-62	UNIFORM SUPPLIES	102.18	
	06-273281		001472		01 05/31/2008	510-6052-501.40-62	UNIFORM SUPPLIES	102.17	
	06-276186		001712		01 05/31/2008	510-6052-501.40-62	UNIFORM SUPPLIES	102.17	
ARROWHEAD SCIENTIFIC, INC	0012863	32969	001268		01 05/31/2008	110-5030-421.40-98	EVIDENCE SUPPLIES	408.70	
ARTS RV SALES	0003804	4069671	001308		01 05/31/2008	110-4022-423.50-08	ADAPTOR	164.55	
	4069155		001309		01 05/31/2008	110-6047-512.50-16	TRK/PARTS PW61	164.55	
ASSOCIATED TECHNICAL SERVICES, LTD.	0007267	18157	001837		01 05/31/2008	510-6052-501.30-52	LEAK LOCATION SVCS	119.90	
								34.95	
ASSOCIATED TIRE	0007161	410345	001604					154.85	
	409803		001607					615.00	
AT&T	0012277							615.00	
	63053030075410	001648			01 05/31/2008	110-0086-453.30-75	MONTHLY PHONE	75.96	
	63053030075410	001649			01 05/31/2008	110-0094-454.30-75	MONTHLY PHONE	68.25	
	63078266949097	001186			01 05/31/2008	110-1001-411.30-75	MONTHLY PHONE	144.21	
	30913629180961	001573			01 05/31/2008	110-1001-411.30-75	MONTHLY PHONE	64.51	
	63053030075410	001635			01 05/31/2008	110-1001-411.30-75	MONTHLY PHONE	24.20	
	63053030075410	001636			01 05/31/2008	110-2006-413.30-75	MONTHLY PHONE	25.24	
	63053030075410	001637			01 05/31/2008	110-2007-413.30-75	MONTHLY PHONE	89.79	
	63053030075410	001638			01 05/31/2008	110-2008-413.30-75	MONTHLY PHONE	1,129.01	
	63053030075410	001639			01 05/31/2008	110-3015-414.30-75	MONTHLY PHONE	370.96	
	63083200803668	001574			01 05/31/2008	110-4020-422.30-75	MONTHLY PHONE	177.42	
	63053030075410	001640			01 05/31/2008	110-4020-422.30-75	MONTHLY PHONE	1,064.50	
	63053030075410	001647			01 05/31/2008	110-4022-423.30-75	MONTHLY PHONE	250.00	
								354.83	
								209.67	

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VEND NO	INVOICE NO	VENDOR NAME	VOUCHER NO	P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0012277		AT&T								
63053030075410	001641				01	05/31/2008	110-4025-424.30-75	MONTHLY PHONE	161.29	
63053088927504	001443				01	05/31/2008	110-5030-421.30-75	MONTHLY PHONE	46.77	
63053033512328	001444				01	05/31/2008	110-5030-421.30-75	MONTHLY PHONE	106.49	
63053050866185	001571				01	05/31/2008	110-5030-421.30-75	MONTHLY PHONE	27.44	
30913629162241	001572				01	05/31/2008	110-5030-421.30-75	MONTHLY PHONE	89.94	
63053030075410	001642				01	05/31/2008	110-5030-421.30-75	MONTHLY PHONE	2,499.95	
63053030075410	001643				01	05/31/2008	110-6040-431.30-75	MONTHLY PHONE	1,072.56	
63053030075410	001646				01	05/31/2008	110-7060-451.30-75	MONTHLY PHONE	241.93	
63053030075410	001644				01	05/31/2008	510-6050-501.30-75	MONTHLY PHONE	153.22	
70822611739932	001864				01	05/31/2008	510-6052-501.30-75	MONTHLY PHONE	586.11	
63053030075410	001645				01	05/31/2008	510-6055-502.30-75	MONTHLY PHONE	290.32	
63027936943334	001185				01	05/31/2008	530-0088-503.30-75	MONTHLY PHONE	25.73	
0000045		ATLAS INC						VENDOR TOTAL *	9,175.75	
878864		001404			01	05/31/2008	110-6047-512.50-16	TRK/PARTS PW100	523.12	
0009911		AUTOMATIC BUILDING CONTROLS						VENDOR TOTAL *	523.12	
61588		001706			01	05/31/2008	110-6046-418.50-01	TEMP CONTROL SVC AGREEMEN	900.00	
0011545		B E A R AWARDS						VENDOR TOTAL *	900.00	
242		001353			01	05/31/2008	110-0083-443.60-85	SERVICE AWARDS	76.00	
0017206		BALO BUILDERS						VENDOR TOTAL *	76.00	
895 COLFAX		001691			01	05/31/2008	110-6041-432.30-70	PUBLIC WALK REFUND	199.50	
296 WILLOW		001692			01	05/31/2008	110-6041-432.30-70	PUBLIC WALK REFUND	99.75	
291 FAIR		001693			01	05/31/2008	110-6041-432.30-70	PUBLIC WALK REFUND	598.50	
0013075		BERKELEY TRUCKING INC.						VENDOR TOTAL *	897.75	
34448		001891			01	05/31/2008	510-6052-501.40-57	STONE	2,464.30	
0000728		BERRY, SUZANNE						VENDOR TOTAL *	2,464.30	
05/12/2008		001262			01	05/31/2008	110-5030-421.60-05	EXPENSE REIMBURSEMENT	23.23	
05/12/2008		001263			01	05/31/2008	110-5030-421.60-11	EXPENSE REIMBURSEMENT	6.57	
0010307		BEST QUALITY CLEANING INC						VENDOR TOTAL *	29.80	
29740		001822			01	05/31/2008	110-6046-418.30-14	CLEANING SVCS	6,509.00	
29741		001823			01	05/31/2008	110-6046-418.30-14	CLEANING SVCS	75.00	
29742		001820			01	05/31/2008	510-6057-502.30-14	CLEANING SVCS	625.00	
29740		001821			01	05/31/2008	510-6057-502.30-14	CLEANING SVCS	339.00	
0016295		BONNELL INDUSTRIES INC						VENDOR TOTAL *	7,548.00	

BANK: 01

VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	BNK CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0016295	BONNELL INDUSTRIES INC	01	05/31/2008	110-6047-512.50-16	TRK/PARTS PH69		131.39	
0111846-IN	001326					VENDOR TOTAL *	131.39	
0007199	BRETT EQUIPMENT CORPORATION	01	05/19/2008	110-6047-512.50-16	TRAILER RUGS		40.56	
166668	000440				RETURNED MERCHANDISE		40.90-	
166818	000915				JUNCTION BOX		66.67	
167427	001221					VENDOR TOTAL *	66.33	
0001899	BRISTOL HOSE & FITTING MAIN WAREHSE	01	05/31/2008	110-6047-512.50-16	SHOP SUPPLIES		45.66	
00187081	001327				SHOP EQUIP REPAIRS		4.77	
00186794	001328				TRK/PARTS PH3		93.76	
00187603	001741				STOCK		13.58	
00187257	001742					VENDOR TOTAL *	157.77	
0007057	BROADCAST PRODUCTION SERVICES INC	01	05/31/2008	110-0086-453.30-52	CA TV PROF SVCS		285.00	
05/01-05/16/08	001474					VENDOR TOTAL *	285.00	
0009305	BULLSEYE IMPRINTING & EMBROIDERY	01	05/31/2008	110-4020-422.60-11	UNIFORM SUPPLIES		789.00	
2978	001844					VENDOR TOTAL *	789.00	
0000084	BURGIN, DENNIS	01	05/31/2008	110-0086-453.30-52	CA TV PROF SVCS		477.25	
05/01-05/16/08	001475					VENDOR TOTAL *	477.25	
0015444	BUSCH, GLEN	01	05/31/2008	110-4020-422.60-11	HONOR GUARD INSTRUCTOR		720.00	
MAY 2008	001413					VENDOR TOTAL *	720.00	
0014552	BUSINESS DISTRICTS, INC.	01	05/31/2008	110-3015-414.60-11	REGISTRATION		50.00	
06/13/2008	001702					VENDOR TOTAL *	50.00	
0009267	C J C AUTO PARTS & TIRES	01	05/19/2008	110-6047-512.50-16	RETURNED MERCHANDISE		18.60-	
416970	000459				PARTS/SUPPLIES		45.42	
420939	001608					VENDOR TOTAL *	26.82	
0017218	CAFORIO, RUSSELL	01	05/31/2008	110-6041-432.30-55	SEWER EXTENSION REIMBURSE		804.61	
773 N INDIANA	001788					VENDOR TOTAL *	804.61	
0005707	CANON BUSINESS SOLUTIONS, INC.	01	05/31/2008	110-7060-451.30-21	COPY OVERAGE		7.08	
4000699881	001307					VENDOR TOTAL *	7.08	
0004296	CANTEEN CORP					VENDOR TOTAL *	7.08	

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VEND NO	VENDOR NAME	INVOICE NO	VOUCHER NO	P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0004296 314640	CANTEEN CORP 001451	01	05/31/2008	110-6046-418.40-98		VENDING MACHINE REFILL			46.07	
0012518 011210 011211	CAR REFLECTIONS 001729 001730	01	05/31/2008	110-5030-421.80-06		TRK/PARTS NEW VEHICLE/			395.00	
		01	05/31/2008	110-5030-421.80-06		TRK/PARTS NEW VEHICLE/			395.00	
0008716 006014 005992 005992 005992 006014 006229 005992 005992 005992	CASE LOTS INC. 001276 001278 001279 001280 001277 001710 001282 001281 001283	01	05/31/2008	110-4020-422.40-24		SUPPLIES			70.15	
		01	05/31/2008	110-6041-432.40-98		SUPPLIES			29.85	
		01	05/31/2008	110-6043-434.40-98		SUPPLIES			29.85	
		01	05/31/2008	110-6044-435.40-98		SUPPLIES			29.85	
		01	05/31/2008	110-6046-418.40-24		SUPPLIES			70.15	
		01	05/31/2008	110-6046-418.40-24		SUPPLIES			399.00	
		01	05/31/2008	110-6047-512.40-24		SUPPLIES			89.55	
		01	05/31/2008	510-6052-501.40-98		SUPPLIES			29.85	
		01	05/31/2008	510-6057-502.40-24		SUPPLIES			89.55	
0013254 IN00055013	CCP INDUSTRIES INC. 001219	01	05/31/2008	110-5030-421.40-98		SUPPLIES			837.80	
0011925 200800150	CDC ENTERPRISES INC. 001669	01	05/31/2008	510-6057-502.50-10		SCADA IMPROVEMENTS			279.88	
									279.88	
0007069 KLJ6361 KLV8779	CDW GOVERNMENT INC 001855 001856	01	05/31/2008	110-2008-413.40-72		COMPUTER HARDWARE			1,600.00	
		01	05/31/2008	110-2008-413.40-72		COMPUTER HARDWARE			1,600.00	
0012836 S11561 S11573 S11580	CERTIFIED FLEET SERVICES, INC 001329 001743 001744	01	05/31/2008	110-6047-512.50-16		TRK/PARTS F-1			66.10	
		01	05/31/2008	110-6047-512.50-16		TRK/PARTS F-1			95.88	
		01	05/31/2008	110-6047-512.50-16		TRK/PARTS F-2			14.95	
0017210 05/19/2008	CHARLENE LEE-FREISLINGER 001594	01	05/31/2008	110-0083-443.60-85		COMPILING/EDITING SENIOR			176.93	
0008130 174772	CHICAGO COMMUNICATIONS LLC 001330	01	05/31/2008	110-6047-512.50-01		CHARGER			100.00	
									100.00	
0016776	CHICAGO METRO AGENCY FOR PLANNING								24.99	
									24.99	

PREPARED 05/27/2008, 11:55:22 EXPENDITURE APPROVAL LIST
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VENDOR NAME	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
CHICAGO METRO AGENCY FOR PLANNING	110-3015-414.60-11	LUNCHEON REGISTRATIONS	117055	50.00
CHICAGO PARTS & SOUND LLC	110-6047-512.50-16	TRK/PARTS F-13	188.55	
	110-6047-512.50-16	CORE CREDIT	75.00	
CHICAGO SUBURBAN EXPRESS	110-6046-418.40-24	FREIGHT FEE	38.50	
CINTAS FIRST AID & SAFETY	110-4020-422.40-98	SUPPLIES	38.50	
	110-6041-432.40-98	SUPPLIES	48.24	
	110-6043-434.40-98	SUPPLIES	48.24	
	110-6044-435.40-98	SUPPLIES	48.24	
	110-6046-418.40-98	SUPPLIES	48.24	
	110-6047-512.40-98	SUPPLIES	48.24	
	510-6052-501.40-98	SUPPLIES	48.24	
	510-6057-502.40-98	SUPPLIES	48.24	
CISAR & MROFKA	510-6050-501.30-52	PROFESSIONAL SVCS	385.92	
CISZEWSKI, ARTHUR	110-5030-421.60-05	EXPENSE REIMBURSEMENT	4,900.00	
	110-5030-421.60-11	EXPENSE REIMBURSEMENT	9.35	
	110-5030-421.60-05	EXPENSE REIMBURSEMENT	6.81	
CLARKE ENVIRONMENTAL MOSQUITO MGT	110-0084-442.30-42	MOSQUITO ABATEMENT	40.29	
CLINK, DAVID	110-0000-331.07-00	VEHICLE STICKER REFUND	56.45	
COCA-COLA ENT LAKESHORE DIV.	110-1001-411.60-98	VENDING MACHINE REFILL	49,218.90	
COLLINS, JIM	110-6041-432.30-70	PUBLIC WALK REFUND	36.00	
COMCAST CABLE	110-6041-432.30-70	PUBLIC WALK REFUND	36.00	

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0014623 COMCAST CABLE				
879820089040137001317	110-2008-413.30-52	INTERNET SVC	52.95	
879820089040137001409	110-2008-413.30-98	INTERNET SVCS	52.95	
879820089040137001316	110-4020-422.60-98	CABLE SVC	89.36	
879820089040137001408	110-4020-422.60-98	CABLE SVC	88.68	
879820089016863001768	110-4020-422.60-98	CABLE SVC	97.92	
0006475 COMMUNICATIONS DIRECT INC.		VENDOR TOTAL *	381.86	
IN93800 001406	110-6041-432.80-06	SET UP NEW VEHICLE/PW26,	377.64	
IN93800 001405	110-6043-434.80-06	SET UP NEW VEHICLE/PW26,	377.64	
0009471 COSTCO		VENDOR TOTAL *	755.28	
5/12/08 001482	110-1001-411.40-98	SUPPLIES	117047	106.11
5/12/08 001481	110-4020-422.40-24	SUPPLIES	117047	192.46
5/12/08 001480	110-5030-421.40-98	SUPPLIES	117047	134.09
5/12/08 001483	110-6040-431.40-98	SUPPLIES	117047	106.12
5/12/08 001484	510-6050-501.40-98	SUPPLIES	117047	106.12
5/12/08 001485	510-6055-502.40-98	SUPPLIES	117047	106.12
0010957 CSR ROOFING CONTRACTORS		VENDOR TOTAL *	.00	751.02
1029 001397	110-6046-418.50-01	LIFT RENTAL FEE	420.00	
0017191 CURB CUTTERS, INC		VENDOR TOTAL *	420.00	
3998 001187	110-6041-432.30-55	CURB CUTS	250.00	
0002224 DAMBROGIO, GERALD		VENDOR TOTAL *	250.00	
05/05-05/07/08 001259	110-5030-421.60-11	EXPENSE REIMBURSEMENT	35.70	
05/20-05/22/08 001885	110-5030-421.60-11	EXPENSE REIMBURSEMENT	39.85	
05/20-05/22/08 001886	110-5030-421.60-05	EXPENSE REIMBURSEMENT	72.72	
0014277 DEX		VENDOR TOTAL *	148.27	
500209284 001633	110-1001-411.30-75	DIRECTORY CHARGES	32.00	
500209284 001634	110-7060-451.30-75	DIRECTORY CHARGES	68.00	
0011759 DICIANNI GRAPHICS		VENDOR TOTAL *	100.00	
05/19/2008 001595	110-0083-443.60-85	PRINTING SERVICES/SENIOR	705.05	
0000556 DIETZLER CONSTRUCTION CORP.		VENDOR TOTAL *	705.05	
1049 001728	510-6057-502.30-58	SAND	1,759.53	
0010912 DILEO'S PIZZERIA		VENDOR TOTAL *	1,759.53	

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 ACCOUNT NO. ITEM DESCRIPTION
 CHECK AMOUNT
 EFT OR HAND-ISSUED AMOUNT

INVOICE NO	VENDOR NAME	VOUCHER NO.	NO.	BNK CHECK/DUE DATE	ACCOUNT NO.	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0015219	DUPAGE RIVER/SALT CREEK WORKGROUP							
0000167	DUPAGE TOPSOIL INC	01	05/31/2008		110-6043-434.40-59	TOPSOIL	13,307.00	
026539	001457						1,560.00	
0009586	DUTCH VALLEY LANDSCAPING INC						1,560.00	
13961	001306	01	05/31/2008		110-6043-434.30-78	TREE WASTE DISPOSAL	540.00	
13971	001456	01	05/31/2008		110-6043-434.30-78	WOODCHIP DISPOSAL	540.00	
13962	001654	01	05/31/2008		110-6043-434.30-78	TREE WASTE DISPOSAL	1,200.00	
0017069	E M C						2,280.00	
26484	001614	01	05/19/2008		110-2007-413.20-09	TRAINING REGISTRATION		195.00
0010602	EASYLINK SERVICES CORPORATION						.00	195.00
07766890805	001358	01	05/31/2008		110-5030-421.30-98	MONTHLY FEE	5.82	
0000176	ELMHURST CAMERA IMAGE CENTER						5.82	
985953	001773	01	05/31/2008		110-4020-422.40-98	CAMERA REPAIR	35.00	
792093	001384	01	05/31/2008		110-6046-418.40-98	PHOTO PROCESSING	10.29	
985973	001224	01	05/31/2008		510-6052-501.40-98	CAMERA CARD READER	29.95	
0014621	ELMHURST CLAIMS ACCOUNT - CLAIM SVC						75.24	
7504366944	001180	01	05/31/2008		110-4020-422.20-07	SELF INSURED LOSS FUND	2,798.58	
7504366944	001516	01	05/31/2008		110-4020-422.20-07	SELF INSURED LOSS FUND	1,804.16	
7504366944	001331	01	05/31/2008		110-4020-422.20-07	SELF INSURED LOSS FUND	685.17	
7504366944	001518	01	05/31/2008		110-5030-421.20-07	SELF INSURED LOSS FUND	1,961.25	
7504366944	001181	01	05/31/2008		110-6040-431.20-07	SELF INSURED LOSS FUND	1,543.50	
7504366944	001182	01	05/31/2008		110-6040-431.20-07	SELF INSURED LOSS FUND	1,262.01	
7504366944	001517	01	05/31/2008		510-6055-502.20-07	SELF INSURED LOSS FUND	1,089.82	
7504366944	001183	01	05/31/2008				11,144.49	
0010298	ELMHURST LINCOLN MERCURY						381.21	
426102	001750	01	05/31/2008		110-5030-421.80-06	TRK/PART NEW VEHICLE PD18	30.86	
425676	001331	01	05/31/2008		110-6047-512.50-16	TRK/PARTS PW43	76.98	
425753	001332	01	05/31/2008		110-6047-512.50-16	TRK/PARTS PD-14	26.75	
425836	001747	01	05/31/2008		110-6047-512.50-16	TRK/PARTS F-13	64.50	
425941	001748	01	05/31/2008		110-6047-512.50-16	TRK/PARTS F-13	248.56	
426103	001749	01	05/31/2008		110-6047-512.50-16	TRK/PARTS PW83	78.75	
425971	001751	01	05/31/2008		110-6047-512.50-16	AUTO/PARTS E-15		
0000185	ELMHURST MAILBOX CENTER						907.61	
57998	001774	01	05/31/2008		110-7060-451.60-65	SHIPPING FEE	27.95	

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ELMHURST MAILBOX CENTER					
ELMHURST MEMORIAL OCCUPATIONAL	001892	110-2007-413.30-47	DRUG SCREEN/PHYSICAL	27.95	
ELMHURST POSTMASTER	001791	110-7060-451.30-49	SUMMER CALENDAR MAILING	715.00	2,498.20
ELMHURST POSTMASTER	001620	110-1001-411.60-40	MAY 2008 NEWSLETTER	.00	2,498.20
ELMHURST POSTMASTER	001501	510-6050-501.30-49	WATER BILL MAILING	117064	2,552.90
ELMHURST POSTMASTER	001503	510-6055-502.30-49	SEWER BILL MAILING	117058	1,800.00
ENGINEERING RESOURCE ASSOCS, INC	001605	110-6040-431.60-11	TRAINING REGISTRATIONS	.00	6,152.90
FACILITY SOLUTIONS GROUP	001198	110-6044-435.40-98	WIRE SPLICE KIT	117059	260.00
FALLS DESIGN ASSOCS, INC	001391	110-6046-418.50-01	WALL SIGNS	225.70	260.00
FEDERAL SIGNAL - EMERG. PROD.	001400	110-5030-421.50-08	TRK/PARTS PD-14	308.40	520.00
FELLER AND SONS COMM STAT	001656	110-2008-413.40-73	INK TONER	534.10	
FGM ARCHITECTS PLANNERS INC	001676	382-0000-463.80-28	PROFESSIONAL SVCS	63.50	
FINAN, JILL	001655	510-6056-502.30-90	SEWER LINE REIMBURSEMENT	106.00	
FIRE EQUIPMENT COMPANY				106.00	
				1,488.39	
				154.33	
				1,013.46	
				2,656.18	
				24,000.00	
				24,000.00	
				1,000.00	
				1,000.00	

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0000865 57150	FIRE EQUIPMENT COMPANY	01	05/31/2008	110-5030-421.30-98	FIRE EXTINGUISHERS		37.90	
					VENDOR TOTAL *		37.90	
0006869 7910725 8008221 7976986	FISHER SCIENTIFIC	01	05/31/2008	510-6057-502.40-24	METER PROBE REPAIR		53.34	
		01	05/31/2008	510-6057-502.40-25	LAB CHEMICALS		142.25	
		01	05/31/2008	510-6057-502.40-25	LAB SUPPLIES		152.33	
					VENDOR TOTAL *		347.92	
0005438 44430	FLEET SAFETY SUPPLY	01	05/31/2008	110-4020-422.50-08	TRK/PARTS F-16		50.00	
					VENDOR TOTAL *		50.00	
0016717 5	FRIEDMAN & CO., S B	01	05/31/2008	310-0089-461.30-52	PROFESSIONAL SVCS		10,428.07	
					VENDOR TOTAL *		10,428.07	
0008274 616391MB 616289MB	GALLAGHER MATERIALS, INC.	01	05/31/2008	110-6041-432.40-02	ASPHALT		1,985.28	
		01	05/31/2008	110-6041-432.40-02	ASPHALT		1,995.84	
					VENDOR TOTAL *		3,981.12	
0015603 05/15/2008	GODDARD, LESLIE	01	05/31/2008	110-7060-451.60-65	EXPENSE REIMBURSEMENT		151.09	
					VENDOR TOTAL *		151.09	
0000242 9634049853 9639028894 9634049853 9639028894 9634049853 9639028894 9634049853 9639028894 9634049853 9639028894 9634049853 9639028894 9634049853 9639028894	GRAINGER	01	05/31/2008	110-6041-432.40-98	SUPPLIES		41.92	
		01	05/31/2008	110-6041-432.40-98	SUPPLIES		18.95	
		01	05/31/2008	110-6043-434.40-98	SUPPLIES		41.92	
		01	05/31/2008	110-6043-434.40-98	SUPPLIES		18.95	
		01	05/31/2008	110-6044-435.40-98	SUPPLIES		41.92	
		01	05/31/2008	110-6044-435.40-98	SUPPLIES		18.94	
		01	05/31/2008	110-6046-418.40-98	SUPPLIES		41.92	
		01	05/31/2008	110-6046-418.40-98	SUPPLIES		18.94	
		01	05/31/2008	110-6047-512.40-98	SUPPLIES		41.92	
		01	05/31/2008	110-6047-512.40-98	SUPPLIES		18.94	
		01	05/31/2008	510-6052-501.40-98	SUPPLIES		41.92	
		01	05/31/2008	510-6052-501.40-98	SUPPLIES		18.94	
		01	05/31/2008	510-6057-502.40-98	SUPPLIES		41.92	
		01	05/31/2008	510-6057-502.40-98	SUPPLIES		18.94	
					VENDOR TOTAL *		426.04	
0011686 119322 119288 119323 119273	GRAND AUTO PARTS	01	05/31/2008	110-6047-512.50-16	AUTO/PARTS E-5		274.66	
		01	05/31/2008	110-6047-512.50-16	AUTO/PARTS E-5		66.25	
		01	05/31/2008	110-6047-512.50-16	TRK/PARTS F-8		16.80	
		01	05/31/2008	110-6047-512.50-16	TRK/PARTS F-8		15.87	

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0011686	GRAND AUTO PARTS								
119328	001323	01	05/31/2008		110-6047-512.50-16	RETURNED MERCHANDISE	17.75-		
119558	001324	01	05/31/2008		110-6047-512.50-16	RETURNED MERCHANDISE	36.00-		
119487	001401	01	05/31/2008		110-6047-512.50-16	AUTO/PARTS E-5	28.08		
119494	001734	01	05/31/2008		110-6047-512.50-16	TRK/PARTS F-13	51.02		
119893	001735	01	05/31/2008		110-6047-512.50-16	STOCK	14.98		
						VENDOR TOTAL *	413.91		
0012796	GRASSROOTS LANDSCAPE SPECIALTIES								
5512	001716	01	05/31/2008		510-6057-502.40-31	SPRING CLEANUP	3,560.00		
						VENDOR TOTAL *	3,560.00		
0000247	GRAYBAR								
933649487	001448	01	05/31/2008		510-6057-502.50-10	FLUKE METER	599.95		
						VENDOR TOTAL *	599.95		
0007182	GREAT NORTH AMERICAN COMPANIES, INC								
95459	001697	01	05/08/2008		110-5030-421.60-08	SUPPLIES	CHECK #: 116394	285.00-	
95500	001698	01	05/08/2008		110-5030-421.60-08	SUPPLIES	CHECK #: 116394	198.80-	
95500	001699	01	05/08/2008		110-5030-421.40-98	SUPPLIES	CHECK #: 116394	1,138.54-	
						VENDOR TOTAL *	.00	1,622.34-	
0006777	GRUMMAN/BUTKUS ASSOCIATES								
111232	001667	01	05/31/2008		110-5030-421.80-23	CONDENSER DESIGN	1,201.45		
						VENDOR TOTAL *	1,201.45		
0017193	GUZMAN, ADRIAN								
05/12/2008	001296	01	05/31/2008		110-0083-443.60-57	DONATION NAT. LEADERSHIP	200.00		
						VENDOR TOTAL *	200.00		
0000254	HACH COMPANY								
5719096	001723	01	05/31/2008		510-6057-502.40-25	TOTAL CHLORINE	175.95		
						VENDOR TOTAL *	175.95		
0017195	HALVERSON, DOUGLAS								
MAY 2008	001412	01	05/31/2008		110-4020-422.60-11	HONOR GUARD INSTRUCTOR	320.00		
						VENDOR TOTAL *	320.00		
0015904	HD SUPPLY WATERWORKS, LTD.								
7175237	001469	01	05/31/2008		510-6052-501.40-51	SERVICE LINES	339.00		
6605012	001824	01	05/31/2008		510-6052-501.40-23	HYDRANTS	82,131.00		
						VENDOR TOTAL *	82,470.00		
0011839	HEALTHCARE SERVICE CORPORATION								
014582	001901	01	05/31/2008		110-1001-411.20-04	HEALTH INS	2,608.13		
014582	001902	01	05/31/2008		110-2006-413.20-04	HEALTH INS	16,800.11		
014582	001903	01	05/31/2008		110-2007-413.20-04	HEALTH INS	2,772.61		
014582	001904	01	05/31/2008		110-3015-414.20-04	HEALTH INS	3,148.55		
014582	001905	01	05/31/2008		110-4020-422.20-04	HEALTH INS	59,611.01		

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0011839	HEALTHCARE SERVICE CORPORATION								
014582	001906				01 05/31/2008	110-4025-424.20-04	HEALTH INS	6,790.53	
014582	001907				01 05/31/2008	110-5030-421.20-04	HEALTH INS	88,417.91	
014582	001908				01 05/31/2008	110-6040-431.20-04	HEALTH INS	24,483.51	
014582	001909				01 05/31/2008	110-7060-451.20-04	HEALTH INS	4,182.40	
014582	001910				01 05/31/2008	210-8070-452.20-04	HEALTH INS	16,236.19	
014582	001911				01 05/31/2008	510-6050-501.20-04	HEALTH INS	2,960.58	
014582	001912				01 05/31/2008	510-6055-502.20-04	HEALTH INS	4,699.33	
014582	001913				01 05/31/2008	530-0088-503.20-04	HEALTH INS	2,255.68	
000820	HILTI, INC.						VENDOR TOTAL *	234,966.54	
1604715007	001272				01 05/31/2008	110-6041-432.40-52	FASTENERS	423.58	
0009737	HIMPELMANN, MATTHEW						VENDOR TOTAL *	423.58	
05/20/2008	001879				01 05/31/2008	110-5030-421.60-05	EXPENSE REIMBURSEMENT	39.39	
0015249	HIRAKAWA, JIM						VENDOR TOTAL *	39.39	
05/07/2008	001271				01 05/31/2008	110-6040-431.60-11	EXPENSE REIMBURSEMENT	32.54	
0012629	HNTB-GREAT LAKES DIVISION						VENDOR TOTAL *	32.54	
34-38145-PL-006001673	001673				01 05/31/2008	110-3015-414.60-10	PROFESSIONAL SVCS	24,497.92	
0008835	HOBBY LOBBY STORES INC						VENDOR TOTAL *	24,497.92	
20807971	001371				01 05/31/2008	110-7060-451.60-65	EDUCATION EXPENSES	13.58	
0008820	HOME DEPOT 1916						VENDOR TOTAL *	13.58	
008892/2035407	001835				01 05/31/2008	510-6052-501.40-98	PLYWOOD	214.40	
0006864	HOME DEPOT 1919						VENDOR TOTAL *	214.40	
008590/2021679	001752				01 05/31/2008	110-6047-512.50-16	TRK/PARTS PM1	14.88	
012967/8576626	001834				01 05/31/2008	510-6052-501.40-31	TOOL	139.74	
0012341	HOME DEPOT 1982						VENDOR TOTAL *	154.62	
002093/8021879	001385				01 05/31/2008	110-5030-421.50-01	SINK INSTALLATION	34.94	
014449/6016120	001836				01 05/31/2008	510-6052-501.40-98	B-BOX REPAIR	9.26	
0002685	IAFSM						VENDOR TOTAL *	44.20	
6/4/08	001489				01 05/12/2008	110-6040-431.60-11	SEMINAR REGISTRATION	117051	30.00
0013974	IDEA ART, INC.						VENDOR TOTAL *	.00	30.00

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0013974	IDEA ART, INC.	001243		01 05/31/2008	110-5030-421.40-33	TICKETS/SPLASH BASH	85.86	
P083570000018						VENDOR TOTAL *	85.86	
0007329	IKON OFFICE SOLUTIONS	001888		01 05/31/2008	110-5030-421.30-21	COPIER MAINT	371.30	
5008234211						VENDOR TOTAL *	371.30	
0011740	IL CENTURY NETWORK	001811		01 05/31/2008	110-2008-413.30-52	INTERNET T1	310.00	
0027810-IN						VENDOR TOTAL *	310.00	
0010337	IL PAPER & COPIER CO.	001714		01 05/31/2008	110-2006-413.40-33	PAPER SUPPLIES	443.40	
464144-000						VENDOR TOTAL *	443.40	
0004301	IL TOOL SERVICE	001754		01 05/31/2008	110-6047-512.40-53	TOOL REPAIR	65.00	
46726		001755		01 05/31/2008	110-6047-512.40-53	TOOL REPAIR	148.30	
46728						VENDOR TOTAL *	213.30	
0017209	ILLINOIS PROSECUTOR SERVICES, LLC	001508		01 05/31/2008	110-5030-421.40-33	CD'S	50.00	
229						VENDOR TOTAL *	50.00	
0001005	ILLINOIS SECRETARY OF STATE	001222		01 05/31/2008	110-6047-512.60-55	PLATE RENEWAL	78.00	
PD-33		001223		01 05/31/2008	110-6047-512.60-55	PLATE RENEWAL	78.00	
PD-45						VENDOR TOTAL *	156.00	
0011765	ILLINOIS STATE TREASURER	001701		01 05/31/2008	750-0000-491.60-59	ANNUAL COMPLIANCE FEE	4,856.73	
E97746		001825		01 05/31/2008	760-0000-491.60-59	ANNUAL COMPLIANCE FEE	8,000.00	
E98047						VENDOR TOTAL *	12,856.73	
0006347	INLAND COMMERCIAL PROPERTY MGT INC	001874		01 05/31/2008	530-0088-503.50-15	MONTHLY MAINT CONTRACT	1,150.00	
002-614221						VENDOR TOTAL *	1,150.00	
0001896	INSITUFORM TECHNOLOGIES USA INC	001650		01 05/31/2008	510-6056-502.80-13	SEWER CIPP REHABILITATION	276,475.38	
57519						VENDOR TOTAL *	276,475.38	
0016938	INTEGRYS ENERGY SERVICES INC.	001804		01 05/31/2008	110-6041-432.30-24	MONTHLY SVC/ACCT #824258	24.96	
11816253-1		001805		01 05/31/2008	110-6041-432.30-24	MONTHLY SVC/ACCT #822158	19.54	
11816811-1		001889		01 05/31/2008	530-0088-503.30-24	MONTHLY SVC/ACCT #827632	1,639.62	
11817069-1		001890		01 05/31/2008	530-0088-503.30-24	MONTHLY SVC/ACCT #825243	1,745.37	
11817036-1						VENDOR TOTAL *	3,429.49	
0010731	INTERSTATE BATTERY SYSTEM OF					VENDOR TOTAL *	3,429.49	

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INVOICE NO	VENDOR NAME	VOUCHER NO	P.O. NO	BNK CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0010731	INTERSTATE BATTERY SYSTEM OF							
49950	001360	01		05/31/2008	110-5030-421.60-27	FORFEITURES	175.00	
50053	001756	01		05/31/2008	110-6047-512.50-16	TRK/PARTS PW93	62.95	
0015292	INTL CODE COUNCIL - MEMBERSHIPS					VENDOR TOTAL *	237.95	
2631966	001310	01		05/31/2008	110-4025-424.60-37	MEMBERSHIP	35.00	
0009823	INTL CODE COUNCIL ACCTS RECEIVABLE					VENDOR TOTAL *	35.00	
0998719-IN	001510	01		05/31/2008	110-4025-424.40-12	CODE BOOKS	124.00	
0007321	INTL SOCIETY OF ARBORICULTURE					VENDOR TOTAL *	124.00	
05/19/2008	000917	01		04/24/2008	110-6040-431.60-11	CERTIFICATION EXAM	116071	75.00-
0015866	INVENTORY TRADING COMPANY					VENDOR TOTAL *	.00	
143089	001431	01		05/31/2008	110-5030-421.40-11	UNIFORM SUPPLIES	295.50	
143348	001432	01		05/31/2008	110-5030-421.40-11	UNIFORM SUPPLIES	25.50	
0008180	J GARDNER & ASSOCIATES					VENDOR TOTAL *	321.00	
5583	001357	01		05/31/2008	110-5030-421.60-45	STICKER BADGES	279.00	
0014725	J J KELLER & ASSOCIATES, INC					VENDOR TOTAL *	279.00	
007321720	001333	01		05/31/2008	110-6047-512.50-08	PROGRAM UPDATES	309.15	
0013718	JAMES J. BENES & ASSOCIATES, INC					VENDOR TOTAL *	309.15	
1091.126	001674	01		05/31/2008	110-6040-431.30-26	PROF ENG SVCS	1,682.09	
1091.113	001675	01		05/31/2008	110-6040-431.30-26	PROF ENG SVCS	1,235.80	
1091.079	001678	01		05/31/2008	110-6040-431.30-26	PROF ENG SVCS	540.66	
1091.127	001679	01		05/31/2008	110-6040-431.30-26	PROF ENG SVCS	587.00	
1091.124	001680	01		05/31/2008	110-6040-431.30-26	PROF ENG SVCS	525.21	
1091.132	001681	01		05/31/2008	110-6040-431.30-26	PROF ENG SVCS	339.84	
1091.136	001682	01		05/31/2008	110-6040-431.30-26	PROF ENG SVCS	308.95	
1091.139	001683	01		05/31/2008	110-6040-431.30-26	PROF ENG SVCS	249.71	
1091.133	001684	01		05/31/2008	110-6040-431.30-26	PROF ENG SVCS	594.73	
1091.128	001685	01		05/31/2008	110-6040-431.30-26	PROF ENG SVCS	733.75	
1195.000	001796	01		05/31/2008	310-0089-461.80-24	PROF ENG SVCS	2,953.86	
0004580	JC LIGHT - ELMHURST					VENDOR TOTAL *	9,751.60	
1203-3726723	001311	01		05/31/2008	110-4020-422.60-68	STAIN	10.09	
1203-3722986	001312	01		05/31/2008	110-4020-422.60-68	STAIN/BRUSHES	18.19	
0000344	JC LIGHT CO.					VENDOR TOTAL *	28.28	

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0000344 JC LIGHT CO. 1203-3685682 001421	110-4020-422.60-68	STRIPPER/STAIN/BRUSHES	28.70	
0000976 JIM'S TOWING 83818 001882	110-5030-421.60-27	TOWING SVCS/CASE#08-20340	350.00	
0000022 JULIANNE BAKERY 4816 001364	110-5030-421.60-11	TRAINING REFRESHMENTS	27.96	
0000314 KALE UNIFORMS 226554 001354 226555 001355 226556 001356	110-5030-421.40-11	UNIFORM SUPPLIES	67.50	
0000323 KIEFT BROTHERS, INC. 139323 001830 138874 001831 139033 001227 139205 001228 139246 001229	510-6052-501.40-98	CEMENT BRICKS	555.00	
0017196 KIMBALL, TIM 05/15/2008 001433	110-5030-421.40-11	EXPENSE REIMBURSEMENT	49.98	
0015660 KINGS POINT TRUCK LANE 14355 001757	110-6047-512.50-02	SAFETY TEST/PM1	37.00	
0001261 KOPCZYNSKI, ROBERT 05/04-05/07/08 001260 05/04-05/07/08 001261	110-5030-421.60-05	EXPENSE REIMBURSEMENT	103.00	
0000331 KUBIESA, SPIROFF, GOSSELAR, 58010 001871 58010 001872 58010 001873	110-0081-415.30-61	PROFESSIONAL SVCS	2,500.00	
0001559 KVETON, JAMES 05/07/2008 001257 05/07/2008 001258	110-5030-421.60-05	EXPENSE REIMBURSEMENT	33.28	
0005882 LASALLE BANK N.A.	110-5030-421.60-11	EXPENSE REIMBURSEMENT	9.79	
		VENDOR TOTAL *	43.07	

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0005882	LASALLE BANK N.A.								
5800235458	001590			01	05/31/2008	110-2006-413.30-05	MONTHLY ANALYSIS FEES	37.54	
5800235458	001591			01	05/31/2008	210-8070-452.30-05	MONTHLY ANALYSIS FEES	8.53	
5800235458	001592			01	05/31/2008	510-6050-501.30-05	MONTHLY ANALYSIS FEES	5.40	
5800235458	001593			01	05/31/2008	510-6055-502.30-05	MONTHLY ANALYSIS FEES	5.40	
0002524	LAW BULLETIN						VENDOR TOTAL *	56.87	
1028183	001509			01	05/31/2008	110-5030-421.30-98	COURT DOCKETS	247.00	
0010777	LE DONNE TRUE VALUE						VENDOR TOTAL *	247.00	
814257	001715			01	05/31/2008	510-6057-502.50-01	TRIMMER REPAIR	2.50	
0013313	LEACH ENTERPRISES, INC						VENDOR TOTAL *	2.50	
870597	001275			01	05/31/2008	110-6047-512.50-16	FILTERS	3.90	
870965	001601			01	05/31/2008	110-6047-512.50-16	FILTERS	42.18	
871009	001602			01	05/31/2008	110-6047-512.50-16	FILTERS	10.76	
871008	001603			01	05/31/2008	110-6047-512.50-16	FILTERS	67.80	
0006622	LEN'S ACE HARDWARE						VENDOR TOTAL *	124.64	
48392/1	001403			01	05/31/2008	110-4020-422.50-08	TRK/PARTS F-16	2.04	
48920/1	001402			01	05/31/2008	110-6047-512.50-16	TRK/PARTS PW1	9.73	
49064/1	001736			01	05/31/2008	110-6047-512.50-01	SHOP CLEAN UP	18.57	
0005326	LESMAN INSTRUMENT CO.						VENDOR TOTAL *	30.34	
1/028460	001453			01	05/31/2008	510-6052-501.50-18	VALVE REPAIR	118.33	
0007702	LHA/WORLD INC						VENDOR TOTAL *	118.33	
1972	001699			01	05/31/2008	110-0094-454.60-45	EVT AD	300.00	
1976	001700			01	05/31/2008	110-0094-454.60-45	EVT AD	300.00	
0000509	LILJEBERG, GLEN R.						VENDOR TOTAL *	600.00	
05/01-05/16/08	001473			01	05/31/2008	110-0086-453.30-52	CA TV PROF SVCS	26.00	
0007419	LORUSSO, PATTY						VENDOR TOTAL *	26.00	
04/16-05/21/08	001775			01	05/31/2008	110-1001-411.30-54	PETTY CASH REIMBURSEMENT	2.00	
04/16-05/21/08	001776			01	05/31/2008	110-1001-411.60-11	PETTY CASH REIMBURSEMENT	22.37	
04/16-05/21/08	001777			01	05/31/2008	110-2006-413.40-98	PETTY CASH REIMBURSEMENT	39.69	
04/16-05/21/08	001778			01	05/31/2008	110-2007-413.40-98	PETTY CASH REIMBURSEMENT	7.08	
04/16-05/21/08	001779			01	05/31/2008	110-2007-413.60-23	PETTY CASH REIMBURSEMENT	7.08	
04/16-05/21/08	001780			01	05/31/2008	110-3015-414.40-98	PETTY CASH REIMBURSEMENT	6.15	
04/16-05/21/08	001781			01	05/31/2008	110-3015-414.60-45	PETTY CASH REIMBURSEMENT	105.31	

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0007419	LORUSSO, PATTY								
04/16-05/21/08	001782	01	05/31/2008		110-4020-422.60-11	PETTY CASH REIMBURSEMENT	15.00		
04/16-05/21/08	001783	01	05/31/2008		110-4020-422.40-98	PETTY CASH REIMBURSEMENT	6.99		
04/16-05/21/08	001784	01	05/31/2008		110-4020-422.50-01	PETTY CASH REIMBURSEMENT	21.49		
04/16-05/21/08	001785	01	05/31/2008		110-4022-423.40-98	PETTY CASH REIMBURSEMENT	36.93		
04/16-05/21/08	001786	01	05/31/2008		110-6040-431.40-33	PETTY CASH REIMBURSEMENT	5.00		
04/16-05/21/08	001787	01	05/31/2008		510-6050-501.60-11	PETTY CASH REIMBURSEMENT	15.00		
						VENDOR TOTAL *	290.09		
0017213	LUCHETTA, MATT								
25252	001698	01	05/31/2008		110-0000-331.07-00	VEHICLE STICKER REFUND	45.00		
						VENDOR TOTAL *	45.00		
0006582	LUND INDUSTRIES, INC.								
56751	001507	01	05/31/2008		110-5030-421.60-27	ADAPTER BRACKETS	364.80		
						VENDOR TOTAL *	364.80		
0008308	MACNEIL AUTOMOTIVE PRODUCTS LTD								
400922029-01	001334	01	05/31/2008		110-6047-512.50-16	FLOOR MATS/PW66	30.07		
400922028-01	001335	01	05/31/2008		110-6047-512.50-16	FLOOR MATS/PW73	30.07		
						VENDOR TOTAL *	60.14		
0000352	MAGID GLOVE								
83079	001207	01	05/31/2008		110-6041-432.40-98	SUPPLIES	24.40		
83079	001208	01	05/31/2008		110-6043-434.40-98	SUPPLIES	24.40		
83079	001209	01	05/31/2008		110-6044-435.40-98	SUPPLIES	24.40		
83079	001210	01	05/31/2008		110-6046-418.40-98	SUPPLIES	24.40		
83079	001206	01	05/31/2008		510-6052-501.40-98	SUPPLIES	122.00		
83079	001211	01	05/31/2008		510-6057-502.40-98	SUPPLIES	24.39		
						VENDOR TOTAL *	243.99		
0017197	MANN, MARGARET								
07-70000339	001502	01	05/31/2008		110-0000-332.98-00	PERMIT REFUND	77.00		
						VENDOR TOTAL *	77.00		
0017212	MARINI, MARC V								
23030	001697	01	05/31/2008		110-0000-331.07-00	VEHICLE STICKER REFUND	36.00		
						VENDOR TOTAL *	36.00		
0017205	MAYWOOD PARK TROTTLING ASSN, INC								
5/16/08	001617	01	05/19/2008		110-5030-421.60-11	EVOC TRAINING	117062	2,000.00	
5/16/08	001618	01	05/19/2008		110-5030-421.60-11	EVOC TRAINING	117063	7.00	
						VENDOR TOTAL *	.00	2,007.00	
0007176	MCCANN INDUSTRIES INC								
0708861	001759	01	05/31/2008		110-6047-512.50-16	TRK/PARTS PW3	141.29		
						VENDOR TOTAL *	141.29		
0004929	MCDONALD'S #1460								

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VENDOR NAME	VOUCHER P.O. NO	BK CHECK/DUE DATE	ACCOUNT NO	DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
MCDONALD'S #1460	001251	01 05/31/2008	110-5030-421.60-24	PRISONER MEALS	40.32	
MCGUIRE, MAUREEN	001504	01 05/31/2008	110-1001-411.60-40	CITY NEWSLETTER	40.32	
				VENDOR TOTAL *	2,200.00	
MCI				VENDOR TOTAL *	2,200.00	
08611797999	001295	01 05/31/2008	110-0094-454.30-75	MONTHLY PHONE	1.60	
08611797999	001284	01 05/31/2008	110-1001-411.30-75	MONTHLY PHONE	36.25	
08611797999	001285	01 05/31/2008	110-2006-413.30-75	MONTHLY PHONE	9.76	
08611797999	001293	01 05/31/2008	110-2007-413.30-75	MONTHLY PHONE	10.16	
08611797999	001294	01 05/31/2008	110-2008-413.30-75	MONTHLY PHONE	40.50	
08611797999	001286	01 05/31/2008	110-3015-414.30-75	MONTHLY PHONE	8.12	
08611797999	001287	01 05/31/2008	110-4020-422.30-75	MONTHLY PHONE	6.26	
08611797999	001288	01 05/31/2008	110-4022-423.30-75	MONTHLY PHONE	.23	
08611797999	001289	01 05/31/2008	110-5030-421.30-75	MONTHLY PHONE	66.05	
08611797999	001290	01 05/31/2008	110-6040-431.30-75	MONTHLY PHONE	25.39	
08611797999	001291	01 05/31/2008	110-7060-451.30-75	MONTHLY PHONE	6.03	
08611797999	001292	01 05/31/2008	510-6055-502.30-75	MONTHLY PHONE	9.43	
				VENDOR TOTAL *	219.78	
MCMaster-CARR SUPPLY CO.				VENDOR TOTAL *	219.78	
86736890	001215	01 05/31/2008	110-6041-432.40-98	SUPPLIES	16.40	
86736890	001216	01 05/31/2008	110-6043-434.40-98	SUPPLIES	16.40	
86736890	001217	01 05/31/2008	110-6044-435.40-98	SUPPLIES	16.40	
86736890	001214	01 05/31/2008	110-6046-418.40-24	SUPPLIES	32.66	
86527387	001392	01 05/31/2008	110-6046-418.40-24	MATTING	75.81	
86632941	001393	01 05/31/2008	110-6046-418.50-01	FLOOR MATTING	119.43	
86736892	001394	01 05/31/2008	110-6046-418.50-01	CLOCK	19.45	
86172113	001213	01 05/31/2008	510-6052-501.40-67	STAINLESS STEEL/NUTS/BOLT	219.72	
86736890	001218	01 05/31/2008	510-6052-501.40-98	SUPPLIES	16.39	
86736893	001833	01 05/31/2008	510-6052-501.40-98	BOLT COVERS	59.88	
85998856	001395	01 05/31/2008	510-6057-502.50-08	NEW PRESS POLYMER DAY	19.07	
				VENDOR TOTAL *	611.61	
MEL'S ACE HARDWARE				VENDOR TOTAL *	611.61	
406155/4	001814	01 05/31/2008	110-4020-422.50-08	SUPPLIES	12.58	
406155/4	001813	01 05/31/2008	110-4022-423.50-08	WEATHER RADIO	19.99	
406050/4	001383	01 05/31/2008	110-6046-418.40-98	SPRAY N WASH	2.69	
400011/4	001704	01 05/31/2008	110-6046-418.50-01	CONCRETE MIX	20.73	
01585792	001703	01 05/31/2008	110-7060-451.50-01	CO2 DETECTOR	19.34	
400009/4	001705	01 05/31/2008	110-7060-451.50-01	CO2 DETECTOR	19.35	
406063/4	001815	01 05/31/2008	510-6052-501.40-98	B-BOX REPAIR	40.88	
406065/4	001816	01 05/31/2008	510-6052-501.40-98	ACETONE	13.94	
406069/4	001817	01 05/31/2008	510-6052-501.40-98	SUPPLIES	34.15	
406017/4	001818	01 05/31/2008	510-6052-501.40-98	LIGHT/TOOL BOX	35.53	
406018/4	001819	01 05/31/2008	510-6052-501.40-98	RETURNED MERCHANDISE	21.59	

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0000366	MEL'S ACE HARDWARE							197.59	
0000368	METRO PARAMEDIC SERVICES, INC.	001866		01	05/31/2008	110-0084-442.30-01	AMBULANCE SERVICE	20,460.83	
0007364	METROPOLITAN LIFE INSURANCE CO							20,460.83	
00088		001917		01	05/31/2008	110-1001-411.20-05	DENTAL INS/MAY 2008	188.59	
00089		001930		01	05/31/2008	110-1001-411.20-05	DENTAL INS/JUNE 2008	188.59	
00088		001918		01	05/31/2008	110-2006-413.20-05	DENTAL INS/MAY 2008	1,138.88	
00089		001931		01	05/31/2008	110-2006-413.20-05	DENTAL INS/JUNE 2008	1,138.88	
00088		001919		01	05/31/2008	110-2007-413.20-05	DENTAL INS/MAY 2008	212.16	
00089		001932		01	05/31/2008	110-2007-413.20-05	DENTAL INS/JUNE 2008	212.16	
00088		001920		01	05/31/2008	110-3015-414.20-05	DENTAL INS/MAY 2008	221.00	
00089		001933		01	05/31/2008	110-3015-414.20-05	DENTAL INS/JUNE 2008	221.00	
00088		001921		01	05/31/2008	110-4020-422.20-05	DENTAL INS/MAY 2008	3,675.95	
00089		001934		01	05/31/2008	110-4020-422.20-05	DENTAL INS/JUNE 2008	3,675.95	
00088		001922		01	05/31/2008	110-4025-424.20-05	DENTAL INS/MAY 2008	260.78	
00089		001935		01	05/31/2008	110-4025-424.20-05	DENTAL INS/JUNE 2008	260.78	
00088		001923		01	05/31/2008	110-5030-421.20-05	DENTAL INS/MAY 2008	5,410.05	
00089		001936		01	05/31/2008	110-5030-421.20-05	DENTAL INS/JUNE 2008	5,410.05	
00088		001924		01	05/31/2008	110-6040-431.20-05	DENTAL INS/MAY 2008	1,878.49	
00089		001937		01	05/31/2008	110-6040-431.20-05	DENTAL INS/JUNE 2008	1,878.49	
00088		001925		01	05/31/2008	110-7060-451.20-05	DENTAL INS/MAY 2008	190.06	
00089		001938		01	05/31/2008	110-7060-451.20-05	DENTAL INS/JUNE 2008	190.06	
00088		001926		01	05/31/2008	210-8070-452.20-05	DENTAL INS/MAY 2008	888.42	
00089		001939		01	05/31/2008	210-8070-452.20-05	DENTAL INS/JUNE 2008	888.42	
00088		001927		01	05/31/2008	510-6050-501.20-05	DENTAL INS/MAY 2008	285.83	
00089		001940		01	05/31/2008	510-6050-501.20-05	DENTAL INS/JUNE 2008	285.83	
00088		001928		01	05/31/2008	510-6055-502.20-05	DENTAL INS/MAY 2008	237.21	
00089		001941		01	05/31/2008	510-6055-502.20-05	DENTAL INS/JUNE 2008	237.21	
00088		001929		01	05/31/2008	530-0088-503.20-05	DENTAL INS/MAY 2008	145.84	
00089		001942		01	05/31/2008	530-0088-503.20-05	DENTAL INS/JUNE 2008	145.84	
0009371	MICRO CENTER A/R							29,466.52	
1723347		001809		01	05/31/2008	110-2008-413.40-72	MONITOR	949.98	
1723338		001810		01	05/31/2008	110-2008-413.40-72	HARDDRIVE/CD DUPLICATOR/	104.81	
0008503	MIDWAY TRUCK PARTS							1,054.79	
677136		001336		01	05/31/2008	110-6047-512.50-16	TRK/PARTS PW198	12.76	
0017125	MIDWEST OPERATING ENGRS H & W							12.76	
JULY 2008		001914		01	05/31/2008	110-6040-431.20-04	HEALTH INS	32,535.00	
JULY 2008		001916		01	05/31/2008	510-6050-501.20-04	HEALTH INS	18,540.00	
JULY 2008		001915		01	05/31/2008	510-6055-502.20-04	HEALTH INS	14,355.00	

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0017125	MIDWEST OPERATING ENGRS H & W					
0016423	MLRP 388 CAROL LLC	01 05/31/2008	110-7060-451.60-47	VENDOR TOTAL *	65,430.00	
000848	001690			MONTHLY RENT/JUNE 2008	3,003.74	
0007257	MOTION INDUSTRIES, INC.	01 05/31/2008	510-6057-502.50-08	VENDOR TOTAL *	3,003.74	
IL10-364850	001724			PUMP REPAIR	29.03	
0000378	MOTOROLA	01 05/31/2008	110-4022-423.40-41	VENDOR TOTAL *	29.03	
89436684	001407			BATTERIES	94.20	
0000383	NAFISCO CORP CONTRS SUPLS	01 05/31/2008	510-6052-501.30-06	VENDOR TOTAL *	94.20	
86419	001225			BARRICADE RENTALS	290.24	
85103	001226			BARRICADE RENTALS	426.60	
0010587	NATIONAL FIRE PROTECTION ASSN	01 05/31/2008	110-4020-422.60-25	VENDOR TOTAL *	716.84	
4235877Y	001422			BROCHURES	165.60	
0000392	NCL EQUIPMENT SPECIALTIES INC	01 05/31/2008	110-6041-432.40-52	VENDOR TOTAL *	165.60	
9227	001631			PAINT	366.00	
0005845	NICOR GAS	01 05/31/2008	110-6046-418.30-29	VENDOR TOTAL *	366.00	
7816640000 8	001687			MONTHLY GAS	4,263.80	
52-71-78-0000	8001184			MONTHLY GAS	42.68	
2403240000 4	001689			MONTHLY GAS	108.44	
5333680000 7	001688			MONTHLY GAS	4,360.98	
0014247	NORTHERN IL REAL ESTATE MAGAZINE	01 05/31/2008	110-3015-414.60-51	VENDOR TOTAL *	8,775.90	
JUNE/NOV 2008	001445			SUBSCRIPTION	150.00	
0002011	NORTHWEST POLICE ACADEMY	01 05/31/2008	110-5030-421.60-37	VENDOR TOTAL *	150.00	
2008/09	001506			MEMBERSHIP	50.00	
0016932	O'HARE AUTO BODY LTD	01 05/31/2008	110-6047-512.50-02	VENDOR TOTAL *	50.00	
22176	001399			BODY REPAIR/PW34	1,200.00	
0008640	OFFICE DEPOT	01 05/31/2008	110-2006-413.40-33	VENDOR TOTAL *	1,200.00	
428282123-001	001189			SUPPLIES	239.06	

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VENDOR NAME	VOUCHER NO	P.O. NO	BNK CHECK/QUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HANO-ISSUED AMOUNT
PORTER PIPE AND SUPPLY CO	001829		01 05/31/2008	510-6052-501.40-07	WATER STATION REPAIR	20.52	
PRECISION CONTROL SYSTEMS OF	001389		01 05/31/2008	110-5030-421.30-98	MONTHLY MAINT FEE	241.00	
PRECISION LUBRICANTS	001468		01 05/31/2008	110-6047-512.40-18	DIESEL FUEL	1,379.97	
PRIMUS ELECTRONICS	001762		01 05/31/2008	110-6044-435.80-06	TRK/PART NEW VEHICLE PW29	151.23	
	001763		01 05/31/2008	110-6047-512.40-53	SMALL TOOLS	53.57	
PRIME, CAROL	001499		01 05/31/2008	510-6056-502.30-90	SEWER LINE REIMBURSEMENT	2,000.00	
PUBLIC AGENCY TRAINING COUNCIL	001883		01 05/31/2008	110-5030-421.60-11	TRAINING CLASS	590.00	
RAPID NOTIFY, INC	000527		01 04/01/2008	110-4022-423.80-23	ANNUAL EMERGENCY NOTIFIC	590.00	
RICHARDS, KERRY	001414		01 05/31/2008	110-4020-422.60-11	HONOR GUARD INSTRUCTOR	890.00	
RIEHS, MARY-CAROL	001696		01 05/31/2008	110-0000-316.00-00	TRANSFER STAMP REFUND	890.00	
ROMEVILLE FIRE ACADEMY	001771		01 05/31/2008	110-4020-422.60-11	HAZ MAT CLASS	1,381.50	
ROYAL PIPE & SUPPLY CO	001396		01 05/31/2008	110-5030-421.50-01	SINK REPLACEMENT	525.00	
RUSSO POWER EQUIPMENT	001838		01 05/31/2008	110-6043-434.50-08	RUBBER PADDLES	194.05	
S & S INDUSTRIAL SUPPLY					VENDOR TOTAL *	56.53	

CHECK #: 115767
 8,250.00-
 8,250.00-

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0001751	S & S INDUSTRIAL SUPPLY						
2822990 RI	01 05/31/2008	011273	01 05/31/2008	110-6046-418.40-24	SUPPLIES	174.78	
2827010 RI	01 05/31/2008	001629	01 05/31/2008	110-6046-418.40-24	SUPPLIES	232.72	
2822990 RI	01 05/31/2008	001274	01 05/31/2008	110-6047-512.40-98	SUPPLIES	32.83	
2827010 RI	01 05/31/2008	001630	01 05/31/2008	110-6047-512.50-16	SUPPLIES	148.44	
0013657	SAID, JOHN				VENDOR TOTAL *	588.77	
05/09/08	001488		01 05/12/2008	110-3015-414.60-11	CONFERENCE REIMBURSEMENT	CHECK #: 117050	155.52
0000473	SAKASH JOHN COMPANY INC.				VENDOR TOTAL *	.00	
214446	001832		01 05/31/2008	510-6052-501.40-98	PIPE LIFTERS	42.35	155.52
0016702	SANCHEZ, JAVIER				VENDOR TOTAL *	42.35	
MAY 2008	001415		01 05/31/2008	110-4020-422.60-11	HONOR GUARD INSTRUCTOR	890.00	
0017000	SARAH'S PONY RIDES, INC				VENDOR TOTAL *	890.00	
05/06/08	001487		01 05/12/2008	110-7060-451.60-65	PROGRAM EXPENSE	CHECK #: 117049	350.00
0005250	SCBAS, INC.				VENDOR TOTAL *	.00	350.00
70705	001596		01 05/31/2008	110-4020-422.50-08	BREATHING APPARATUS PARTS	61.99	
0009953	SCHWAN INCORPORATED				VENDOR TOTAL *	61.99	
19507	001668		01 05/31/2008	510-6057-502.50-10	PLC/COMMUNICATION UPGRADE	2,869.08	
0001673	SCHWEIK, GUY				VENDOR TOTAL *	2,869.08	
05/05-05/07/08	001254		01 05/31/2008	110-5030-421.60-11	EXPENSE REIMBURSEMENT	46.61	
0000477	SCHWEPPE AND SONS				VENDOR TOTAL *	46.61	
889595	001387		01 05/31/2008	110-6046-418.40-98	PLASTIC TABLE CLOTH ROLL	163.47	
0010169	SEAWAY SUPPLY				VENDOR TOTAL *	163.47	
54486	001470		01 05/31/2008	110-6046-418.40-24	SUPPLIES	602.00	
54597	001828		01 05/31/2008	110-6046-418.40-24	SUPPLIES	379.00	
54382	001197		01 05/31/2008	510-6057-502.40-98	SUPPLIES	195.00	
0001319	SEC OF ST VEHICLE SERVICE				VENDOR TOTAL *	976.00	
5/14/08	001498		01 05/16/2008	110-6047-512.60-55	PD-26 PLATES	CHECK #: 117056	68.00
0000491	SHEMIN NURSERIES				VENDOR TOTAL *	.00	68.00

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VENDOR NAME	VOUCHER P.O. NO	BANK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
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SHEMIN NURSERIES							
0000491	001304	01	05/31/2008	110-6043-434.40-09	FERTILIZER TABLETS	503.50	
684194	001305	01	05/31/2008	110-6043-434.40-53	PRUNER	13.25	
686249	001597	01	05/31/2008	110-6043-434.40-27	CURLEX BLANKET	46.25	
686249	001598	01	05/31/2008	110-6043-434.40-61	TREES	198.00	
685382	001840	01	05/31/2008	110-6043-434.40-39	BUSHES	608.00	
VENDOR TOTAL *						1,369.00	

SHERWIN-WILLIAMS CO.							
0012572	001599	01	05/31/2008	110-6046-418.50-01	PAINT	67.51	
0881-6	001764	01	05/31/2008	110-6047-512.50-01	PAINT	63.40	
5795-5	001765	01	05/31/2008	110-6047-512.50-01	PAINT	115.41	
0935-0	001765	01	05/31/2008	110-6047-512.50-01	PAINT	73.98	
9150-7	001455	01	05/31/2008	510-6057-502.50-01	PAINT	73.98	
VENDOR TOTAL *						320.30	

SHORE GALLERIES							
0001674	001244	01	05/31/2008	110-5030-421.40-01	AMMUNITION	2,083.26	
89659	001359	01	05/31/2008	110-5030-421.40-01	AMMUNITION	859.70	
87854	001359	01	05/31/2008	110-5030-421.40-01	AMMUNITION	2,942.96	
VENDOR TOTAL *						2,942.96	

SIKICH PROFESSIONAL SVCS & SUPPORT							
0011543	001659	01	05/31/2008	110-2008-413.30-03	AUDIT FEES	990.00	
94777	001660	01	05/31/2008	210-8070-452.30-03	AUDIT FEES	180.00	
94777	001661	01	05/31/2008	510-6050-501.30-03	AUDIT FEES	360.00	
94777	001662	01	05/31/2008	510-6055-502.30-03	AUDIT FEES	607.50	
94777	001663	01	05/31/2008	530-0088-503.30-03	AUDIT FEES	112.50	
VENDOR TOTAL *						2,250.00	

SMG SECURITY SYSTEMS, INC.							
0008954	001459	01	05/31/2008	110-4020-422.50-01	ALARM REPAIR	210.00	
153756	001459	01	05/31/2008	110-4020-422.50-01	ALARM REPAIR	210.00	
VENDOR TOTAL *						210.00	

SMITH, CHRIS							
0016972	001486	01	05/12/2008	110-7060-451.60-65	FIELD TRIP PROGRAM	210.00	
05/06/08	001486	01	05/12/2008	110-7060-451.60-65	FIELD TRIP PROGRAM	210.00	
VENDOR TOTAL *						420.00	

SNYDER, BILL							
0017207	001694	01	05/31/2008	110-6041-432.30-70	PUBLIC WALK REFUND	.00	
285 E ADELIA	001694	01	05/31/2008	110-6041-432.30-70	PUBLIC WALK REFUND	498.75	
VENDOR TOTAL *						498.75	

SPAULDING MFG INC							
0010407	001337	01	05/31/2008	110-6047-512.50-16	TRK/PARTS PW100	70.00	
7388	001338	01	05/31/2008	110-6047-512.50-16	TRK/PARTS PW100	1,456.00	
7400	001339	01	05/31/2008	110-6047-512.50-16	TRK/PARTS PW69	756.00	
7401	001339	01	05/31/2008	110-6047-512.50-16	TRK/PARTS PW69	756.00	
VENDOR TOTAL *						2,282.00	

STAPLES CREDIT PLAN							
0014481	0005001300	01	05/31/2008	110-2008-413.40-72	SD CARD	12.98	
325788600250005001300	0005001300	01	05/31/2008	110-2008-413.40-72	SD CARD	333.00	
34684750017418001301	0005001301	01	05/31/2008	110-2008-413.40-72	CAMERA	333.00	
VENDOR TOTAL *						678.98	

CHECK #:							
						117048	200.00
							200.00

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0010950	TIMMONS, CHRISTOPHER								
05/05/2008	001361	01	05/31/2008	01	05/31/2008	110-5030-421.60-05	EXPENSE RIEMBURSEMENT	17.77	
05/05/2008	001362	01	05/31/2008	01	05/31/2008	110-5030-421.60-11	EXPENSE RIEMBURSEMENT	10.80	
							VENDOR TOTAL *	28.57	
0006474	TOKAY SOFTWARE								
4845	001806	01	05/31/2008	01	05/31/2008	110-2008-413.40-16	SOFTWARE UPGRADE	2,810.00	
							VENDOR TOTAL *	2,810.00	
0000533	TRAFFIC CONTROL & PROTECTION								
60072	001269	01	05/31/2008	01	05/31/2008	110-6041-432.40-52	SIGNS	191.54	
60169	001270	01	05/31/2008	01	05/31/2008	110-6041-432.40-52	PAINT GLASS BEADS	255.00	
							VENDOR TOTAL *	446.54	
0001431	TROSIE, THOMAS								
04/23/2008	001880	01	05/31/2008	01	05/31/2008	110-2006-413.60-98	EXPENSE REIMBURSEMENT	53.82	
04/23/2008	001881	01	05/31/2008	01	05/31/2008	110-2006-413.60-11	EXPENSE REIMBURSEMENT	18.18	
							VENDOR TOTAL *	72.00	
0003805	ULINE INC								
23121684	001266	01	05/31/2008	01	05/31/2008	110-5030-421.40-98	EVIDENCE SUPPLIES	457.94	
							VENDOR TOTAL *	457.94	
0015470	UNIFORMITY INC.								
IN144913	001313	01	05/31/2008	01	05/31/2008	110-4020-422.40-62	UNIFORM SUPPLIES	33.75	
IN145053	001314	01	05/31/2008	01	05/31/2008	110-4020-422.40-62	UNIFORM SUPPLIES	149.17	
IN144914	001315	01	05/31/2008	01	05/31/2008	110-4020-422.40-62	UNIFORM SUPPLIES	113.44	
							VENDOR TOTAL *	296.36	
0007191	UNITED STATES POSTAL SERVICE								
5/22/08	001845	01	05/22/2008	01	05/22/2008	110-1001-411.30-49	METER POSTAGE	117084	1,000.00
5/22/08	001846	01	05/22/2008	01	05/22/2008	110-2006-413.30-49	METER POSTAGE	117084	400.00
5/22/08	001847	01	05/22/2008	01	05/22/2008	110-2007-413.30-49	METER POSTAGE	117084	250.00
5/22/08	001848	01	05/22/2008	01	05/22/2008	110-3015-414.30-49	METER POSTAGE	117084	250.00
5/22/08	001849	01	05/22/2008	01	05/22/2008	110-4020-422.30-49	METER POSTAGE	117084	250.00
5/22/08	001850	01	05/22/2008	01	05/22/2008	110-5030-421.30-49	METER POSTAGE	117084	750.00
5/22/08	001851	01	05/22/2008	01	05/22/2008	110-6040-431.30-49	METER POSTAGE	117084	1,000.00
5/22/08	001852	01	05/22/2008	01	05/22/2008	110-7060-451.30-49	METER POSTAGE	117084	250.00
5/22/08	001853	01	05/22/2008	01	05/22/2008	530-0088-503.30-49	METER POSTAGE	117084	850.00
							VENDOR TOTAL *	-00	5,000.00
0005115	UNIVERSAL TAXI DISPATCH, INC								
2828	001869	01	05/31/2008	01	05/31/2008	110-0083-443.60-49	SENIOR CITIZEN TAXI SVC	466.00	
2828	001870	01	05/31/2008	01	05/31/2008	110-0083-443.60-19	DISABLED CITIZEN TAXI SVC	106.40	
							VENDOR TOTAL *	572.40	
0007731	UPS								
00005A30E3208	001707	01	05/31/2008	01	05/31/2008	110-4020-422.30-49	SHIPPING FEES	54.15	
00005A30E3208	001708	01	05/31/2008	01	05/31/2008	110-5030-421.30-49	SHIPPING FEES	17.50	

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0007731	UPS	001709		01 05/31/2008	110-6046-418.40-98	SHIPPING FEES	7.75	
00005A30E3208						VENDOR TOTAL *	79.40	
0000550	URICK, EUGENIE			01 05/31/2008	110-0086-453.30-52	CA TV PROF SVCS	1,365.00	
05/01-05/16/08	001476					VENDOR TOTAL *	1,365.00	
0004983	VAN METER & ASSOCIATES, INC.			01 05/31/2008	110-5030-421.60-11	TRAINING CLASS	90.00	
00-10893	001363					VENDOR TOTAL *	90.00	
0000555	VAN SLYKE ENTERPRISES			01 05/31/2008	110-3015-414.30-12	CITY PROPERTY PLANNING	3,206.25	
MAR-APR 2008	001798			01 05/31/2008	110-3015-414.30-12	120 ROBERT PALMER DRIVE	425.00	
MAR-APR 2008	001800			01 05/31/2008	110-3015-414.30-12	METRA STATION	31.25	
MAR-APR 2008	001803			01 05/31/2008	310-0089-461.30-52	TIF I	2,087.50	
MAR-APR 2008	001799			01 05/31/2008	320-0090-462.30-52	TIF II	56.25	
MAR-APR 2008	001802			01 05/31/2008	325-0092-465.30-12	TIF III	18.75	
MAR-APR 2008	001801					VENDOR TOTAL *	5,825.00	
0014788	VERIZON WIRELESS			01 05/31/2008	110-2008-413.30-98	MONTHLY PHONE	1,654.77	
1855653029	001677					VENDOR TOTAL *	1,654.77	
0014891	VILLA PARK ACE			01 05/31/2008	110-4020-422.50-08	FASTENERS	6.83	
208938	001843			01 05/31/2008	510-6057-502.50-01	MOUSE TRAP	5.39	
K08786/2	001725					VENDOR TOTAL *	12.22	
0000561	VILLA PARK MATERIAL CO INC			01 05/31/2008	510-6052-501.40-57	STONE	207.87	
75057	001233			01 05/31/2008	510-6052-501.40-57	STONE	219.57	
75056	001234			01 05/31/2008	510-6052-501.40-57	STONE	309.27	
75055	001235			01 05/31/2008	510-6052-501.40-57	STONE	155.87	
75061	001236			01 05/31/2008	510-6052-501.40-57	STONE	323.44	
75060	001237			01 05/31/2008	510-6052-501.40-57	STONE	207.74	
75058	001238			01 05/31/2008	510-6052-501.40-57	STONE	207.87	
75059	001239					VENDOR TOTAL *	1,631.63	
0006095	VITAL SIGNS USA INC			01 05/31/2008	110-7060-451.60-65	BANNER CHANGES	30.00	
VS-74735	001372					VENDOR TOTAL *	30.00	
0011345	V00'S DOGS			01 05/31/2008	110-6040-431.60-11	OPEN HOUSE REFRESHMENTS	225.00	
05/17/2008	001826			01 05/31/2008	510-6050-501.60-11	OPEN HOUSE REFRESHMENTS	225.00	
05/17/2008	001827					VENDOR TOTAL *	450.00	
0013353	VWR INTERNATIONAL INC.							

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VWR INTERNATIONAL INC.								
0013353	001449	01	05/31/2008	510-6057-502.40-25	LAB SUPPLIES/CHEMICALS	295.14		
34305855	001721	01	05/31/2008	510-6057-502.40-25	LAB CHEMICALS	146.20		
34446455	001722	01	05/31/2008	510-6057-502.40-25	LAB CHEMICALS	71.56		
34446458								
0001317	WEF MEMBERSHIP				VENDOR TOTAL *	512.90		
1465106	001446	01	05/31/2008	510-6050-501.60-37	MEMBERSHIP	152.00		
1756706	001447	01	05/31/2008	510-6050-501.60-37	MEMBERSHIP	97.00		

0015717	WENTWORTH TIRE-BENSENVILLE				VENDOR TOTAL *	249.00	
465660	001340	01	05/31/2008	110-6047-512.50-20	TIRES/PD-17	505.52	
465204	001341	01	05/31/2008	110-6047-512.50-20	TIRES/PW112	231.57	
465636	001342	01	05/31/2008	110-6047-512.50-20	TIRES/PW6	391.20	
465638	001343	01	05/31/2008	110-6047-512.50-20	TIRES/PW117	268.40	
465639	001344	01	05/31/2008	110-6047-512.50-20	TIRES/PW148	124.99	
465760	001345	01	05/31/2008	110-6047-512.50-20	TIRES/PW69	170.98	
465761	001346	01	05/31/2008	110-6047-512.50-20	TIRES/PW5	338.04	
466812	001347	01	05/31/2008	110-6047-512.50-20	TIRES/PW112	43.02	
465640	001348	01	05/31/2008	110-6047-512.50-20	TIRE DISPOSAL	38.00	
466925	001349	01	05/31/2008	110-6047-512.50-20	TIRE DISPOSAL	28.00	
465637	001350	01	05/31/2008	110-6047-512.50-20	STOCK	363.20	
467098	001737	01	05/31/2008	110-6047-512.50-20	TIRES/PW199	307.50	
467095	001738	01	05/31/2008	110-6047-512.50-20	TIRES/PW100	366.00	
467175	001739	01	05/31/2008	110-6047-512.50-20	TIRE DISPOSAL	21.00	
0000573	WEST AUTOMOTIVE SERVICE INC				VENDOR TOTAL *	3,197.42	
40535	001767	01	05/31/2008	110-6047-512.50-02	REPAIR PD-47	829.46	

0000576	WEST SUBURBAN OP, INC.				VENDOR TOTAL *	829.46	
68227	001250	01	05/31/2008	110-2008-413.40-73	INK CARTRIDGES	34.13	
69045	001249	01	05/31/2008	110-4020-422.50-13	BINDERS	47.70	
69194	001425	01	05/31/2008	110-4020-422.40-98	PENS	9.24	
69097	001423	01	05/31/2008	110-4022-423.50-08	TAPE CARTRIDGES	19.35	
69097.1	001424	01	05/31/2008	110-4022-423.50-08	TAPE CARTRIDGES	19.35	
68593	001247	01	05/31/2008	110-5030-421.40-33	SUPPLIES	113.74	
68825	001248	01	05/31/2008	110-5030-421.40-33	FILE JACKETS	71.98	
69311	001862	01	05/31/2008	110-5030-421.40-33	SUPPLIES	103.96	
68957	001368	01	05/31/2008	110-6040-431.40-33	SUPPLIES	28.30	
68187	001478	01	05/31/2008	110-6040-431.40-33	SUPPLIES	24.48	
2419CM	001479	01	05/31/2008	110-6040-431.40-33	RETURNED MERCHANDISE	6.42	
69048	001367	01	05/31/2008	110-7060-451.40-33	SUPPLIES	79.83	
69274	001772	01	05/31/2008	110-7060-451.40-33	FOLDERS/PAPER	21.15	
68957	001369	01	05/31/2008	510-6050-501.40-33	SUPPLIES	28.30	
0004668	WEST TOWN REFRIGERATION				VENDOR TOTAL *	595.09	

BANK: 01

VEND NO	VENDOR NAME	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0004668	WEST TOWN REFRIGERATION						
171668	01 05/31/2008	110-5030-421.50-01	A/C REPAIR	550.00			
171669	01 05/31/2008	110-5030-421.50-01	COMPRESSOR REPAIR	725.50			
171802	01 05/31/2008	510-6057-502.50-01	AC REPAIR	589.50			
			VENDOR TOTAL *		1,865.00		
0004725	WESTMORE SUPPLY CO						
59081	01 05/31/2008	510-6052-501.30-29	FUEL	1,663.33			
			VENDOR TOTAL *		1,663.33		
0015020	WHITE KNIGHT DETAIL						
05/14/2008	01 05/31/2008	110-6047-512.50-20	DETAILING SVCS/E-19	90.00			
			VENDOR TOTAL *		90.00		
0017217	WILTON, JOHN P.						
287B	01 05/31/2008	110-0000-331.07-00	VEHICLE STICKER REFUND	90.00			
			VENDOR TOTAL *		90.00		
0005674	WINKLER'S TREE SERVICE INC.						
31263	01 05/31/2008	110-6043-434.30-88	DED TREE REMOVAL	1,050.48			
			VENDOR TOTAL *		1,050.48		
0009930	WORLDPOINT ECC, INC.						
496758	01 05/31/2008	110-5030-421.60-11	CPR SUPPLIES	271.70			
			VENDOR TOTAL *		271.70		
0001041	WRIGHT, STEVE						
05/07/2008	01 05/31/2008	110-5030-421.60-05	EXPENSE REIMBURSEMENT	25.25			
05/07/2008	01 05/31/2008	110-5030-421.60-11	EXPENSE REIMBURSEMENT	12.18			
			VENDOR TOTAL *		37.43		
0004998	ZELENKA RICHARD H						
000019167	01 05/23/2008	510-0000-113.02-00	UB CR REFUND	23.56			
			VENDOR TOTAL *		23.56		
0000582	ZENGERS INC						
1526481-01	01 05/31/2008	110-6047-512.50-16	RETURNED MERCHANDISE	79.57			
1047690-01	01 05/31/2008	110-6047-512.50-16	SAW BLADES	242.31			
1041702-01	01 05/31/2008	510-6052-501.40-98	SAW BLADES	39.18			
			VENDOR TOTAL *		201.92		
			HAND ISSUED TOTAL ****		18,038.38		
			TOTAL EXPENDITURES *****		1,300,405.37		
			GRAND TOTAL *****		1,318,443.75		



CITY OF ELMHURST
209 NORTH YORK STREET
ELMHURST, ILLINOIS 60126-2759
(630) 530-3000
FAX (630) 530-3014
www.elmhurst.org

TH

THOMAS D. MARCUCCI
MAYOR
PATTY SPENCER
CITY CLERK
CHARITY S. PIGONI
CITY TREASURER
THOMAS P. BORCHERT
CITY MANAGER

May 29, 2008

To: Mayor Marcucci and Members of the City Council

Re: Cuvee Cellars, Ltd. Liquor License Request

Enclosed please find a request from Cuvee Cellars, Ltd. for permission to open a business at 545 Spring Road in Elmhurst expanding their current internet based wine business.. The business plan would require the creation of liquor licenses at this location of a Class "RL" and a Class "WB". It is respectfully requested that the City Council authorize the Public Affairs and Safety Committee to consider this request and make subsequent recommendation for City Council consideration.

Respectfully submitted,

Thomas P. Borchert
City Manager

/ds
Attachment

Copies To All
Elected Officials

05-29-08



475 Wrightwood ▾ Elmhurst, Illinois 60126 ▾ (630) 832-2329

May 19, 2008

The Honorable Thomas D. Marcucci
Mayor of Elmhurst
209 North Elmhurst
Elmhurst, IL 60126

Dear Mayor Marcucci:

Five years ago Cuvee Cellars, Ltd. submitted a business plan for an internet based wine retail shop. One goal of that plan was to open a brick and mortar wine store in the City of Elmhurst. We are please to submit our new business plan for the proposed Cuvee Cellars, Ltd. brick and mortar store for your consideration.

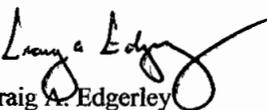
Cuvee Cellars, Ltd. has selected a location located at 545 Spring Road and has negotiated a lease agreement with AIM Realty.

Cuvee Cellars, Ltd. is also requesting that the Spring Road Retail District be included in Elmhurst's current Retail Business Grant Program to assist retailers with build-out costs. Though we believe the Spring Road location is ideal, the area is in need of attracting better retail operations for its continued success.

- The majority of tenant locations are old and in desperate need of renovation
- Existing owners have limited funds to update units
- Some units rent for as little as \$10 per square foot and will not attract quality prospective retailers because of update and renovation expenses
- The area has been attracting commercial office tenants and not retailers due to funding opportunities elsewhere in Elmhurst
- The Spring Road Retail District is within the City limits of Elmhurst and deserves the same equal opportunities as the rest of the City

Thank you in advance for your consideration and we look forward to becoming a bigger part of this community.

Sincerely,
Cuvee Cellars, Ltd.


Craig A. Edgerley


John A. Tremback

Enclosure

RECEIVED

MAY 19 2008

CITY OF ELMHURST

Hand del'd



CITY OF ELMHURST

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ELMHURST, ILLINOIS 60126-2759
(630) 530-3000
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THOMAS D. MARCUCCI
MAYOR
PATTY SPENCER
CITY CLERK
CHARITY S. PIGONI
CITY TREASURER
THOMAS P. BORCHERT
CITY MANAGER

May 29, 2008

To: Mayor Marcucci and Members of the City Council

Re: Salt Creek Greenway Bike Path – Ald. Nybo & Ald. Moriarty

It is respectfully requested that the attached memorandum from Alderman Nybo and Alderman Moriarty regarding the Salt Creek Greenway Bike Path be referred to the Public Affairs and Safety Committee for review and recommendations back to the City Council.

Respectfully submitted,

Thomas P. Borchert
City Manager

TPB/ds
Attachment

Copies To All
Elected Officials

05-29-08



City of Elmhurst
209 N York Street
Elmhurst, Illinois 60126-2759
Main (630) 530-3000
Fax (630) 530-3014
www.elmhurst.org

Thomas D. Marcucci
Mayor
Patty Spencer
City Clerk
Charity S. Ficoni
City Treasurer
Thomas P. Borchert
City Manager

MEMORANDUM

TO: Mayor Marcucci and Members of the City Council

FROM: Chris Nybo, Alderman 5th Ward
Moira Moriarty, Alderman 5th Ward

DATE: May 29, 2008

RE: Salt Creek Greenway Bike Path

On May 27, 2008, the Elmhurst Park District Board unanimously acknowledged numerous valid safety and other concerns from Elmhurst residents regarding the designation and use of any residential street as a connector route along the Salt Creek Greenway Bike Path. The Park District expressed its intent to pursue placement of a north-south connector link west of Salt Creek adjacent to Route 83. Nevertheless, the current bike path configuration includes a six-block gap between Maple Trail Woods and the Illinois Prairie Path.

Given these recent events, it is respectfully requested that the following suggestions be referred to the Public Affairs and Safety Committee for its consideration and action.

1. That the City Council immediately begin studying and monitoring any safety issues associated with the aforementioned gap in the bike path;
2. That the City Council take expedited action to eliminate all safety hazards, including but not limited to: (1) placing and maintaining adequate barriers and signage preventing access to the Salt Creek Greenway Trail at the intersection of Fairview and Madison and at the intersection of Harrison Street at the north end of Eldridge Park until a permanent non-residential north-south connector link is completed, and (2) deleting all references to Fairview Avenue or any other residential street as a bike path connector route between Maple Trail Woods and the Illinois Prairie Path; and
3. That the City Council take expedited action to assist the Elmhurst Park District in acquiring all necessary property rights, easements, and governmental permits/approval to move forward with constructing a permanent north-south connector link route west of Salt Creek and adjacent to Route 83 between Maple Trail Woods and the Illinois Prairie Path.



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THOMAS P. BORCHERT
CITY MANAGER

May 29, 2008

To: Mayor Marcucci and Members of the City Council

Re: Sales Tax Rebate Request – Wilkins Buick/Mazda

It is respectfully requested that the attached correspondence from Mr. Tom Wilkins, President of Wilkins Buick/Mazda be referred to the Finance, Council Affairs and Administrative Services Committee for review and recommendation back to the City Council.

Respectfully submitted,

Thomas P. Borchert
City Manager

TPB/ds
Attachment

Copies To All
Elected Officials
05-29-08



WILKINS
BUICK • mazda

May 28, 2008

Mr. Tom Borchert
City Manager
City of Elmhurst
209 N. York Street
Elmhurst, IL 60126

Dear Mr. Borchert:

I am writing to inform the City of Elmhurst about my interest in opening a new car franchise in Elmhurst and to request a meeting with you or your representative at your earliest convenience to discuss this exciting opportunity.

The business opportunity involves purchasing an existing Elmhurst car dealership and bringing an additional automobile dealer franchise to Elmhurst. This move will require significant building and property enhancements and result in a major new revenue source for the City of Elmhurst.

To offset the cost of this business opportunity, I would also like to discuss our desire to seek a 50 percent tax rebate with quarterly payments before we move forward with our plans.

Again, I look forward to meeting with you soon to discuss this opportunity.

Sincerely,

Tom Wilkins

Tom Wilkins
President, Wilkins Buick/Mazda



225 W. Roosevelt Road

Villa Park, Illinois

60181

630.495.0800

www.wilkinscars.com

77

MCO-12-2008

**AN ORDINANCE AMENDING CHAPTER 7 (WATER AND SEWERS) OF THE
ELMHURST MUNICIPAL CODE**

BE IT AND IT IS HEREBY ORDAINED by the City Council of the City of Elmhurst, DuPage and Cook Counties, Illinois, in exercise of its home rule powers, as follows:

SECTION 1. That Chapter 7 of the Elmhurst Municipal Code is amended by deleting that chapter in its entirety and replacing it as follows:

Chapter 7

WATER AND SEWERS

Article I: Definitions

Article II: Sewers

Division 1: General Provisions

- 7.01 Authority
- 7.02 Purpose and Policy
- 7.03 Administration
- 7.04 Jurisdiction
- 7.05 Funding
- 7.06 Abbreviations

Division 2: Sewer Extension Requirements

- 7.20 Applicability
- 7.21 Sewer Extension Requirements

Division 3: Sewer Connection Procedures

- 7.30 Use of Public Sewers Required
- 7.31 Private Sewage Disposal
- 7.32 Building Sewer and Connections
- 7.33 Fees
- 7.34 Use of Public Sewers
- 7.35 Monitoring Facilities
- 7.36 Additional Structures Required for the Use of the Public Sewers
- 7.37 Sewer Line Maintenance/Replacement
- 7.38 Automobile Service, Repair and Fuel Dispensing Properties

Division 4: Information Required of Non-Residential Users

- 7.40 Initial Survey (Questionnaire)
- 7.41 Affirmation to Initial Survey

Copies To All
Elected Officials

5-29-08

7.42 Reports of Changed Conditions

Division 5: General Discharge Requirements

- 7.50 Applicability
- 7.51 Prohibited Discharge Standards
- 7.52 National Categorical Pretreatment Standards
- 7.53 State Limits
- 7.54 Local Limits
- 7.55 Right of Revision
- 7.56 Sampling Facilities
- 7.57 Monitoring Requirements
- 7.58 Analytical Requirements
- 7.59 Protection of City Sampling and Flow Metering Equipment from Damage

Division 6: Pretreatment of Wastewater

- 7.60 Pretreatment Facilities
- 7.61 Additional Pretreatment Measures
- 7.62 Spill Prevention Containment and Countermeasures/Slug Control Plan

Division 7: Wastewater Discharge Permit Application

- 7.70 Wastewater Information and Analysis
- 7.71 Wastewater Discharge Permit Requirement
- 7.72 Wastewater Discharge Permitting: Existing Connections
- 7.73 Wastewater Discharge Permitting: New Connections
- 7.74 Wastewater Discharge Permit Application Contents
- 7.75 Application Signatories and Certification
- 7.76 Wastewater Discharge Permit Decisions

Division 8: Wastewater Discharge Permit Issuance Process

- 7.80 Wastewater Discharge Permit Duration
- 7.81 Wastewater Discharge Permit Contents
- 7.82 Wastewater Discharge Permit Appeals
- 7.83 Wastewater Discharge Permit Modification
- 7.84 Wastewater Discharge Permit Transfer
- 7.85 Wastewater Discharge Permit Revocation
- 7.86 Wastewater Discharge Permit Reissuance
- 7.87 Regulation of Waste Received from Other Jurisdictions

Division 9: Reporting Requirements

- 7.90 Pretreatment Requirements for Non-Categorical Users
- 7.91 Pretreatment Requirements for Categorical Industrial Users
- 7.92 Periodic Compliance Reports / Self Monitoring Reports
- 7.93 Authorized Representative Change Notification
- 7.94 Reports from Non-permitted Users
- 7.95 Reports of Changed Conditions
- 7.96 Reports of Potential Problems

- 7.97 Notice of Violation/Repeat Sampling and Reporting
- 7.98 Notification of the Discharge of Hazardous Waste
- 7.99 Report Submittal Due Dates

Division 10: Compliance Monitoring

- 7.100 Right of Entry: Inspection and Sampling
- 7.101 Record Keeping
- 7.102 Search Warrants

Division 11: Confidential Information

- 7.110 Confidential Information

Division 12: Publication of Users in Significant Noncompliance

- 7.120 Publication of Users in Significant Noncompliance

Division 13: Administration Enforcement Remedies

- 7.130 Notification of Violation
- 7.131 Compliance Agreements
- 7.132 Show Cause Order
- 7.133 Compliance Orders
- 7.134 Cease and Desist Orders
- 7.135 Emergency Suspensions
- 7.136 Termination of Discharge

Division 14: Penalties and Judicial Enforcement Remedies

- 7.140 Failure to Report or Notify
- 7.141 Recovery of Costs Incurred
- 7.142 Injunctive Relief
- 7.143 Civil Penalties
- 7.144 Remedies Nonexclusive

Division 15: Supplemental Enforcement Action

- 7.150 Performance Bonds
- 7.151 Liability Insurance
- 7.152 Water Supply Severance
- 7.153 Public Nuisances
- 7.154 Contractor Listing

Division 16: Affirmative Defenses to Discharge Violations

- 7.160 Upset
- 7.161 Prohibited Discharge Standards
- 7.162 Bypass

Division 17: Miscellaneous Provisions

- 7.170 Pretreatment Charges and Fees
- 7.171 Severability

- 7.172 Conflict
- 7.153 Offenses Under Previous Ordinances

Article III. Water

- 7.180 Water service pipes
- 7.181 Interference with service pipes
- 7.182 Water meters
- 7.183 Use of water
- 7.184 Turning water on or off
- 7.185 Steam boilers
- 7.186 Access to premises
- 7.187 Fire protection service
- 7.188 Fire Hydrants
- 7.189 Air conditioning
- 7.190 Commercial car wash establishments
- 7.191 Recovery of Costs Incurred
- 7.192 Injunctive Relief
- 7.193 Civil Penalties
- 7.194 Remedies Nonexclusive
- 7.195 Water Supply Severance

Article IV. Rates and Charges

- 7.200 Water Service Charges
- 7.201 Wastewater/Sewer Service Charges
- 7.202 Basis for Wastewater Service Charges
- 7.203 Measure of flow
- 7.204 Local capital cost charge. Debt service charge
- 7.205 Minimum charge
- 7.206 Surcharge rate
- 7.207 Computation of surcharge
- 7.208 Computation of wastewater service charge
- 7.209 Payment of water and wastewater charges; delinquent charges
- 7.210 Disposition of revenues

Article V. Inspection of Building Drainage Systems

- 7.230 Certain discharges and connections prohibited
- 7.231 Access to premises
- 7.232 Inspection required upon transfer of property
- 7.233 Penalty
- 7.234 Reimbursement program for disconnection of drains from the sanitary sewer system

Article VI. Cross Connections

- 7.240 Cross connections prohibited
- 7.241 Backflow prevention device required
- 7.242 Inspection and maintenance of devices by water customer
- 7.243 Violations and enforcement

- Article VII. Private Water Supply Wells
- 7.250 Prohibitions—Exemptions
- 7.251 Permits
- 7.252 Memorandum of Understanding
- 7.253 Violations

Chapter 7

WATER AND SEWERS

Article I: Definitions

As used in this Chapter, the following terms and phrases shall have the meanings hereinafter designated unless the context otherwise requires:

“Act” or “the Act” or “Clean Water Act” or “Federal Act” means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 et seq.

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

“Agency” means the Illinois Environmental Protection Agency.

“Air conditioning” means the cooling or dehumidification, or both, of space for human occupancy, food preservation and industrial processing.

“Air conditioning system” or “air conditioning installation” means one or more air conditioning units, the water for which passes through a common meter, whether or not the units are owned by the property owners, the tenant or a combination of both. It is intended that separate sub-metering for any one property owner or tenant occupying different space in the same building could create separate systems; it is not intended that submetering of individual units serving the same space or adjacent space under one owner or tenant would create separate systems.

“Approved” within the context of cross-connections, shall mean backflow prevention devices or methods approved and accepted by a duly authorized agent of the City of Elmhurst as meeting the applicable specifications stated by the Research Foundation for Cross-Connection Control of the University of Southern California, Association of State Sanitary Engineers, American Water Works Association, American National Standards Institute or the National Sanitation Foundation.

“Authorized Representative of the User” means

1. If the User is a corporation, by a responsible corporate officer: The president,

secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation.

2. If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
3. If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
4. The individuals described in Paragraphs 1 through 3, above, may designate another authorized representative, if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City of Elmhurst.
5. If an authorization under Paragraph 4, above, is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall environmental matters for the company, a new authorization satisfying the requirements of Paragraph 4 must be submitted to the City of Elmhurst. If an authorization under Paragraph 4 is no longer accurate because the individual described in Paragraphs 1 through 3 above has changed, a new authorization satisfying the requirements of Paragraph 4 must be submitted to the City of Elmhurst.

“Auxiliary water supply system” shall mean any water source or system on or available to any premises other than the public water supply system, and includes the water supplied by such system. Such auxiliary water supply system may include water from a source such as wells, lakes, or streams; process fluids; or used water.

“Backflow” shall mean the flow of water or other liquids, mixtures, or substances back into the distribution pipes of the potable water system, from any source other than the intended source of such potable water supply.

“Backflow prevention device” shall mean any approved device, method, or type of construction intended to prevent backflow into a potable water system.

“Base rate” means the unit charge for water and sanitary sewer service.

“Base water use” means the volume of water used during the quarter preceding the billing cycle ending in January, February, March or April, as the case might be.

“Basic User Charge” shall mean the basic assessment levied on all users of the public sewer system.

“Biochemical Oxygen Demand (BOD)” means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at 20 degrees centigrade, usually expressed in milligrams per liter.

“Bio-solids” refers to the anaerobically digested and stabilized organic solids removed from the wastewater treatment plant and disposed of on agricultural land or at a landfill.

“Building Commissioner” means that person who is the chief administrative officer of the Department of Building Construction, appointed by the City Manager.

“Building Drain” means that part of the lowest piping of a drainage system which receives the discharge from 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 feet (1.5 meters) outside the inner face of the building wall. Discharge of stormwater runoff to the building drain is prohibited.

“Building Sewer” means the extension from the building drain to the public sewer or other place of disposal.

“Bypass” means the intentional diversion of waste streams from any portion of a user’s treatment or pretreatment facility.

“Capital Improvement Charge” shall mean a charge levied on users to improve, extend or reconstruct the sewage treatment works.

“Categorical Pretreatment Standard” or “Categorical Standard” means any regulation containing pollutant discharge limits promulgated by USEPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

“CFR” refers to Code of Federal Regulations.

“Chemical Oxygen Demand (COD)” means chemical oxidation under standard laboratory procedures as described in 40 CFR 136 usually expressed as a concentration (e.g. mg/l).

“City” means the City of Elmhurst.

“Class one use” means all single and multi-family residential dwelling units.

“Class two use” means any use other than Class One.

“Combined Sewer” means a pipe or conduit that is designed and constructed to carry both polluted water, including sanitary sewage and non-domestic waste, and unpolluted water, including stormwater, surface water and ground water and cooling water.

“Combined Waste Stream Formula” means the formula set forth in 40 CFR Section 403.6(e).

“Composite Sample” means a sample of wastewater composed of two or more discrete samples collected, based on a flow-proportional or time-proportional method.

“Contamination” shall mean an impairment of the quality of the water by entrance of any substance to a degree which could create a health hazard.

“Control manhole” shall mean 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 representatives of the City to sample and/or measure discharges.

“Cooling Water” means the water discharged from any use such as air conditioning, cooling or refrigeration, to which the only pollutant added is heat.

“Cross-connection” shall mean any potential or actual physical connection or arrangement between two otherwise separate piping systems, one 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 mean a charge levied on users to improve, extend or reconstruct the sewage treatment works.

“Director” means the Director of the Illinois Environmental Protection Agency.

“Director of Public Works” means that person who is the chief administrative officer of the City of Elmhurst Department of Public Works, appointed by the City Manager.

“Director of Water/Wastewater” means that person who is the chief administrative officer of the City of Elmhurst Department of Water and Wastewater.

“Discharger” means any person, firm establishment or institution that discharges wastewater, excluding inflow and infiltration, into the POTW from any non-domestic source regulated under Section 307(b), (c), or (d) of the Act and 35 Ill Adm. Code (IAC) 307. “User” is used interchangeably with “Discharger”.

“Discharge Permit” means permit issued to a User which specifies the requirements for discharge of wastewater or the requirements for zero discharge of wastewater as appropriate.

“Double check valve assembly” shall mean an approved assembly composed of single, independently acting check valves. A double check valve assembly must include tight shutoff valves located at each end of the assembly and suitable connections for testing the

watertightness of each check valve.

“DPW” refers to the Director of Public Works

“Duly Authorized Agent” means the Mayor and City Council of Elmhurst and designated employees and agents of the City.

“DWW” refers to the Director of Water and Wastewater

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

“Effluent Criteria” means those criteria defined in any applicable “NPDES” Permit.

“Existing Source” means any source of discharge, the construction or operation which commenced prior to the publication by the EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

“Fats, Oil, And Grease (FOG)” is used interchangeably with “Oils and Grease”.

“Federal Grant” means the U.S. Government participation in the financing of the construction of treatment works as provided for by Title II--Grants for Construction of Treatment Works of the Act and implementing regulations.

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

“Floatable Oil” means 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 treated, and wastewater does not interfere with the collection system.

“Flow” means volume of wastewater per unit of time.

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

“Grab Sample” means a sample, which is taken from a wastestream on a one-time basis without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.

“Hauled Waste” means sanitary wastewater transported as a commercial venture.

“Health hazard” shall mean any condition, device or practice in a water system or its operation which may result in a real or potential danger to the health and well-being of

water consumers. A "severe health hazard" shall mean a health hazard which could be expected to result in death or significant reduction in quality of life.

"Indirect Discharge" or "Discharge" means the introduction of pollutants into a POTW from any non-domestic source regulated under Section 307(b), (c) or (d) of the Act.

"Industrial User (IU)" means a source of indirect discharge from a non-domestic source.

"Industrial Waste" means any solid, liquid or gaseous substance or an combination thereof discharged, permitted to flow or escaping from any industrial, manufacturing, commercial or business user or process or from the development, recovery or processing of any natural resource as distinct from sanitary sewage, including the wastewater from pretreatment facilities and polluted cooling water.

"Inspection" shall mean a procedure 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 and this Chapter.

"Installed capacity" means the total number of tons of refrigeration installed on one air conditioning system.

"Interference" means a discharge by any user which alone or in conjunction with discharges by other sources, both: (1) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use of disposal and (2) therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of wastewater or sludge use or disposal by the POTW in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA) and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D or SWDA) the Clean Air Act, the Toxic Substance Control Act, and the Marine Protection Research and Sanctuaries Act.

"Local Capital Cost Charge" shall mean charges for costs other than the Operation, Maintenance and Replacement costs, i.e. debt service and capital improvement costs.

"Major contributing industry" shall mean an industrial user of the publicly owned treatment works that: (a) has a flow of fifty thousand (50,000) gallons or more per average work day; or (b) has a flow carried by the municipal pollutant in toxic amounts as defined in standards issued under Section 307(a) of the Federal Act; or (c) is found by the permit issuant 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.

"Major repair" means any one or more of the following operations or activities when

performed on or to a private potable water well: (1) Repair to the pitless adapter; (2) Acidizing of a well; (3) Replacement of the well casing; (4) Bailing of material including but not limited to sand.

"Medical Wastes" means isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

"Milligrams Per Liter" means a unit of the concentration of water or wastewater constituent representing 0.001 g of the constituent in 1,000 ml 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.

"Minimum charge" shall mean the fee charged bimonthly for three cubic meters or less of water or wastewater.

"Minor repair" means any one or more of the following operations or activities when performed on or to a private potable water well or private irrigation water well: (1) Pump replacement; (2) Motor replacement; (3) Disinfection; (4) Repairs to electrical controls; (5) Repairs or replacement of piping other than the pitless adapter.

"Municipal utility service" means the service of the combined waterworks and sewerage system of the city to its inhabitants.

"National Categorical Pretreatment Standard," "Categorical Pretreatment Standard," or "Categorical Standard" means any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

"National Pollutant Discharge Elimination System" or "NPDES" means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits from point sources to waters of the United States, and imposing and enforcing pretreatment requirements, under Sections 307, 402, 318 and 405 of the Federal Act.

"National Pollutant Discharge Elimination System Permit" (NPDES Permit) means a permit issued pursuant to Section 402 of the CWA, or Section 12(f) of the Act.

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

"New Source" means:

1. Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the

publication of proposed pretreatment standards under Section 307 (c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that Section, provided that one of the following is true:

- a. The building, structure, facility, or installation is constructed at a site which no other source is located;
 - b. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - c. The production or wastewater generating processes of the building, structure, facility, or installations are substantially independent of an existing source at the site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.
2. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Paragraphs 1.b. or 1.c., above, but otherwise alters, replaces, or adds to existing process or production equipment.
3. Construction of a new source as defined under this Paragraph has commenced if the owner of operator has done one of the following:
- a. Begun, or caused one of the following to begin as part of a continuous onsite construction program:
 - i.) Any placement, assembly, or installation of facilities or equipment; or
 - ii.) Significant site preparation work including, clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 - b. Entered into a binding contractual obligation for the purchase of facilities or equipment, which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this Paragraph.
4. New Sources shall install and have in operating condition and shall "start-up" all pollution control equipment required to meet applicable pretreatment standards

before beginning to discharge. Within the shortest feasible time (not to exceed 90 days), new sources shall meet all applicable standards.

“Non-contact Cooling Water” means water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

“Nonpotable water” shall mean water that is not safe for drinking, personal, or culinary use.

“NOV” refers to a Notice of Violation

“Oils and Grease” means any hydrocarbons, fatty acids, soaps, fats, waxes, oils and any other material that is extracted by a solvent in a method approved in 40 CFR 136.

“Overhead Sewer” means a sewer that does not discharge to a public or private sewer main through the use of gravity. Overhead sewers utilize a pump to lift the sewage to an elevation where gravity can then carry away the wastewater.

“Pass Through” means the discharge of pollutants that exits the POTW into waters of the United States in quantities or concentrations, which alone or in conjunction with discharges from other sources, is a cause of a violation of any requirement of the POTW’s NPDES permit (including an increase in the magnitude or duration of a violation).

“Person” means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.

“pH” means a measure of the acidity or basicity of a solution, calculated by taking the logarithm of the reciprocal of the hydrogen ion concentration expressed in standard units.

“Plumbing system” shall mean the actual installation, repair, maintenance, alteration or extension of the water supply and distribution pipes, plumbing fixtures, appurtenances and appliances located on a premise for a supply of water for all purposes, including without limitation lawn sprinkler systems. The plumbing system shall include all piping from the source of a private water supply or from the public watermain back to any building, and from discharge of pumping units, to and including pressure tanks in water supply systems. The plumbing system shall also include all piping, fixtures, appurtenances, and appliances for a building drain and for sanitary drainage, and for a related ventilation system of any building, from the point of connection of such building drain to the building sewer or private sewage disposal system five feet beyond the foundation walls.

“Pollutant” means any dredged spoil, solid waste, incinerator residue, sewage, garbage,

wastewater sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt or industrial, municipal, agricultural and industrial wastes and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor.)

“Pollution” shall mean 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” means a term used to evaluate the impact of industrial or other waste on a treatment works or stream. One population equivalent is 100 gallons (380 liters) of sewage per day, containing 0.17 pounds (77 g) of BOD₅ (five-day biochemical oxygen demand) and 0.20 pounds (91 g) of total suspended solids. The impact on a treatment works is evaluated or defined as the highest population equivalent of the three parameters.

“Potable water” means any water free from contaminants in amounts sufficient to cause disease or harmful physiological effects, and, therefore, meeting all State and Federal drinking water regulations for human consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing foods.

“Potential cross-connection” shall mean 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.

“POTW ” means Publicly Owned Treatment Works and refers to the City facilities designed to provide treatment (including recycling and reclamation) to wastewater.

“ppm” means parts per million.

“Pretreatment” means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to, or in lieu of, discharging or otherwise introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentrations of the pollutants unless allowed by an applicable pretreatment standard.

“Pretreatment Coordinator” means the Director of Water/Wastewater of the City of Elmhurst or his designee.

“Pretreatment Requirements” means any substantive or procedural requirement related to pretreatment, other than a pretreatment standard.

“Pretreatment Standards” or “Standards” means that for any specified pollutant, City prohibitive discharge standards as set forth in Section 7.51 of this Article II (Sewers), City specific limitations on discharge as set forth in Section 7.54 of this Article II (Sewers), State of Illinois Pretreatment Standards in Ill. Adm. Code Section 307, or the

National Categorical Pretreatment Standards, whichever standard is most stringent.

“Private irrigation water well” means any well owned and maintained by any person, firm, corporation or other entity which is: (i) not a permitted public water supply operator; or (ii) a private water supply operator regulated by the Illinois Commerce Commission the water from which well is used solely for irrigation purposes and not for use as a potable groundwater well, provided that all such wells shall be owned, maintained and controlled by: (i) a governmental entity; or (ii) a private property owner where the area proposed to be irrigated exceeds one acre in area and which area is owned by such private property owner.

“Private potable water well” means any well owned and maintained by any person, firm, corporation or other entity which is: (i) not a permitted public water supply operator; or (ii) a private water supply operator regulated by the Illinois Commerce Commission.

“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 inch (1.27 centimeters) in any dimension.

“Public Sewer” means a sewer provided by or subject to the jurisdiction of the City. It shall also include sewers within or outside the City boundaries that serve one or more persons and ultimately discharge into the City sanitary sewer, even though those sewers may not have been constructed with City funds.

“Publicly-Owned Treatment Works (POTW)” means the “treatment works”, as defined by Section 212 of the Act, owned by the City and any devices and systems used in the conveyance, storage, treatment, recycling or reclamation of municipal sewage or industrial wastes of a liquid nature that are connected to the City POTW regardless of ownership, but does not include sewers, pipes, and other conveyances not connected to the City POTW treatment plant.

“Reduced pressure principle backflow device” shall mean a device containing a minimum of two independently acting check valves together with an automatically operated pressure differential relief valve located between the two check valves. During normal flow and at the cessation of normal flow, the pressure between these check valves 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 the 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.

“Replacement” shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful 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 Source” or “Residential User” means any single family or multi-family dwelling unit designed primarily as a place of human habitation which discharges to the City’s system domestic wastewater only.

“Sanitary Sewer” means a pipe of conduit designed and/or intended to carry wastewater from residences, commercial buildings, industrial plants and institutions, and to which stormwater, surface water, ground water and unpolluted non-contact cooling water are not intentionally admitted.

“Sanitary Wastewater” see Wastewater.

“Service pipe” means any pipe which is installed for the purpose of connecting the water mains of the city to the individual premises or building where water conveyed thereto is to be consumed.

“Sewage” means human excrement and gray water (household showers, dishwashing operations, etc. Used interchangeably with “Wastewater.”

“Sewer” means a pipe or conduit for conveying sewage or any other waste liquids, including storm, surface and, ground water 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.

“Shall/May” “Shall” is mandatory; “May” is permissive.

“Significant Industrial User” means any industrial user of the POTW who:

1. Is subject to any national categorical pretreatment standards; or
2. A user that:
 - a. Has an average process wastewater discharge flow of twenty-five thousand (25,000) gallons (excluding sanitary, non-contact cooling and boiler blow-down wastewater) or more per work day; or
 - b. Has a discharge flow of process wastewater that makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - c. Is designated as such by the City on the basis that the industrial user has a reasonable potential for adversely affecting the POTW’s operation or for

violating any pretreatment standard or requirement.

3. Upon a finding that a User meeting the criteria in Subsection (2) has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the City may at any time, on its own initiative or in response to a petition received from a User, determine that such user should not be considered a Significant Industrial User.

"Sludge" see Bio-solids

"Slug" or "Slug Load" means any discharge of water or wastewater which is non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge that could cause a violation of the prohibited discharge standards in Section 7.51 of this Article II (Sewers).

"State Act" means the Illinois Anti-Pollution Bond Act of 1970.

"State Grant" means the State of Illinois participation in the financing of the construction of the treatment works as provided for by the Illinois Anti-Pollution Bond Act and for making such grants as filed with the Secretary of State of the State of Illinois.

"Storm Sewer" means a sewer that carries rain water, snow melt, surface and groundwater drainage but excludes sewage and industrial wastes other than unpolluted cooling water.

"Stormwater Runoff" means that portion of the precipitation, snow melt, and surface drainage that is drained into the sewers.

"Surcharge" shall mean 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 Article IV, Section 7.201 of this Chapter.

"Suspended solids" (SS) shall mean 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 the IEPA Division of Laboratories Manual of Laboratory Methods.

"T" as in Cyanide-T means total.

"Tap" means the connection to the sewer main through the use of a factory "wye" or "tee", a saddle connection, an Inserta tee ©, or other plumber connection (i.e. hammer tap).

"Ton of refrigeration" means the heat required to melt ice at the rate of one ton in twenty-

four (24) hours. One compressor horsepower shall be considered equivalent to one ton of refrigeration.

“Total suspended solids” (TSS) shall mean the concentration of solids in a well homogenized sample that remain on a standard glass micro filter with a minimum particle retention size of 1.5 mm dried at one hundred three (103) degrees Celsius for not less than one hour.

“Total Toxic Organics” means the summation of all quantifiable values greater than the practical quantitation limit for the toxic organics specified in the applicable regulation.

“Unpolluted Water” means water 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.

“Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with pretreatment standards because of factors beyond the reasonable control of the industrial user. An Upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

“Useful life” shall mean the estimated period during which the collection system and/or treatment works will be operated.

“User” means any person or source that contributes, causes or permits the contribution of wastewater into the POTW works. It may also include such persons or sources that are prohibited from discharging specific pollutants or waste streams to the POTW works.

“User Charge” shall mean a charge levied on users of treatment works for the cost of operation, maintenance and replacement.

“User class” shall mean the type of user “residential, multi-residential, institutional/governmental, commercial/industrial.”

(1) “Residential User” shall mean all dwelling units such as, but not limited to, houses, mobile homes, apartments and multi-family dwellings. These users are designated SF or MF.

(2) “Commercial User” shall include transit, lodging, retail and wholesale establishments or establishments otherwise engaged in selling merchandise or rendering services. These users are designated CO.

(3) “Institutional/Governmental User” shall include schools, churches, park districts, municipal accounts and users associated with federal, state, and local governments. These users are designated SC, CH, PK and MU, respectively.

(4) “Industrial Users” shall include establishments engaged in manufacturing activities involving the mechanical or chemical transformation of materials of substance into products. These users are designated IN.

“Utility Superintendent” means that person in charge of the Utility Division of the Department of Public Works.

“Wastewater” means the combination of the liquid and water carried wastes from residences, commercial buildings, industrial and manufacturing plants and institutions, whether treated or untreated including those which are contributed to the POTW, together with any groundwater, surface water, and stormwater that may be present.

- A. Sanitary wastewater means the combination of liquid and water carried wastes discharged from toilets and other sanitary plumbing facilities.
- B. Industrial wastewater means a combination of liquid and water carried wastes discharged from any industrial user, including the wastewater from pretreatment facilities and polluted cooling water.

“Wastewater Discharge Permit” means the document or documents issued to a user by the City pursuant to Division 8 of this Article.

“Wastewater facilities” mean the structures, equipment, and processes required to collect, carry away and treat domestic and industrial wastes and transport effluent to a water course.

“Wastewater/Sewer Service Charge” shall be the bimonthly charge imposed on all users of the Wastewater Facilities. The service charge shall be computed as outlined in Article IV, Section 7.201 of this Chapter and shall consist of the total or the Basic User Charge, the Minimum Charge, Local Capital Cost and a surcharge, if applicable.

“Wastewater Treatment Superintendent” means that person in charge of the Wastewater Division of the Department of Water/Wastewater.

“Wastewater Treatment Works” means the “treatment works,” as defined by Section 212 of the Federal Act, owned by the City and any devices and systems used in the conveyance, storage, treatment, recycling or reclamation of municipal sewage or industrial wastes of a liquid nature that are connected to the City POTW regardless of ownership, but does not include sewers, pipes, and other conveyances not connected to the City POTW treatment plant. Synonymous with Wasted Treatment Plant, Wastewater Treatment Plant, Pollution Control Plant, Publicly Owned Treatment Works and Wastewater Facilities.

“Water-conserving device” means a cooling tower, spray pond, evaporation condenser or other equipment by which water is cooled and recirculated, thereby limiting the use of water from the mains to that amount lost through evaporation.

“Watercourse” shall mean a channel in which a flow of water occurs, either continuously or intermittently.

“Water main” means that part of the water distribution system consisting of pipes and fittings used for the purpose of or in connection with the transmission of water from the source thereof to the service pipes of the water users of the system.

“Water Quality Standards” means those standards defined in the Water Pollution Regulations of Illinois, Title 35, Subtitle C, Chapter I.

“Water-regulating device” means a regulating valve or other device, the purpose of which is to limit the maximum use of water to a predetermined rate.

“Waters of the State of Illinois” means all streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State of Illinois or any portion thereof.

Article II: Sewers

Division 1: General Provisions

7.01 Authority

The City Council of the City of Elmhurst adopts this Article II (Sewers) pursuant to the requirements of the Federal Clean Water Act and regulations promulgated thereunder, the Illinois Environmental Protection Act of 1970, as amended, and in accordance with Illinois Municipal Code.

7.02 Purpose and Policy

This Article II (Sewers) sets forth uniform requirements for users of the Publicly Owned Treatment Works for the City of Elmhurst, hereafter referred to interchangeably as the City. This Article provides for the use of public and private sewers and drains, private sewage disposal, and authorizes the installation and continuing of connections into the sewage works of the City upon certain conditions, including permission thereof; providing for the installation and maintenance of such connections and enforcements thereto; regulating the use of municipal and private sewers and drains; individual wastewater disposal, the installation, connection and disconnection of building sewers, the discharge of water and waste in the public sewer system providing for penalties for violation therefore; and providing for penalties for violation thereof; and providing for termination of permits issued by the City pursuant to the provisions hereof.

This Article enables the City to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code (“USC”) § 1251 et seq.) and the General Pretreatment Regulations (40 Code of Federal Regulations (“CFR”) Part 403). Additional objectives of this Article are:

- A. To prevent the introduction of pollutants into the Publicly Owned Treatment Works (POTW) that will interfere with its operation;
- B. To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;
- C. To protect the public as well as City employees who may be affected by air, wastewater and sludge in the course of their employment;
- D. To promote reuse and recycling of industrial wastewater and sludge from the Publicly Owned Treatment Works;
- E. To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the Publicly Owned Treatment Works; and
- F. To enable the City to comply with its National Pollutant Discharge Elimination System permit conditions, Sludge Use and Disposal Requirements, and any other Federal or State laws to which the Publicly Owned Treatment Works is subject.

This Article shall apply to all users of the Publicly Owned Treatment Works and provides for the enforcement of general requirements for users. This Article authorizes the issuance of wastewater connection and discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the programs established herein.

7.03 Administration

Except as otherwise provided herein, the Pretreatment Coordinator and Duly Authorized

Agent(s) shall administer, implement, and enforce the provisions of this Article. Any powers granted to or duties imposed upon the Pretreatment Coordinator and Duly Authorized Agent(s) may be delegated by the City or Pretreatment Coordinator to other City personnel or agents of the City.

7.04 Jurisdiction

This Article shall apply to any person who is a user of the City POTW.

7.05 Funding

Fees shall apply to users of the pretreatment program as set forth in Article IV (Rates and Charges) of this Chapter.

7.06 Abbreviations

The following abbreviations, when used in this Article, shall have the designated meanings:

IAC	-	Illinois Administrative Code
BOD	-	Biochemical Oxygen Demand
CFR	-	Code of Federal Regulations
COD	-	Chemical Oxygen Demand
DPW	-	Director of Public Works
DWW	-	Director of Water/Wastewater
FOG	-	Fats, Oils and Grease, interchangeable with Oil and Grease
gpd	-	Gallons per day
IEPA	-	Illinois Environmental Protection Agency
mg/l	-	Milligrams per liter
NPDES	-	National Pollutant Discharge Elimination System
NOV	-	Notice of Violation
POTW	-	Publicly Owned Treatment Works
ppm	-	Part per million
RCRA	-	Resource Conservation and Recovery Act
ROW	-	Right-of-way
TSS	-	Total Suspended Solids
USEPA	-	U.S. Environmental Protection Agency
U.S.C.	-	United States Code

Division 2: Sewer Extension Requirements

7.20 Applicability

This Article shall be applicable to any extension of a sanitary sewer by any entity that will serve or in the future may serve more than one building and that will connect either directly or indirectly to the sewage works of the City. Any such extension of a sanitary sewer shall be

made only after an application for a City permit has been made in writing on forms prescribed and furnished by the City and an extension permit is issued by the City.

7.21 Sewer Extension Requirements

- A. Application. Persons desiring such extension of the sewer system shall file with the Director of Public Works (DPW) four (4) copies of the following documents:
1. Detailed plans and specifications prepared by a registered professional engineer registered in the State of Illinois.
 2. IEPA permit application with such supporting documents required by the IEPA, completely filled out and ready for City review and signature.
 3. Detailed estimate of the cost of the extension.

The person or persons extending the sewer shall pay all costs of plan review by the City Engineer to the City prior to the City signing the IEPA permit application.

- B. Issuance. The City will issue an Extension permit in accordance with the following:
1. It has been demonstrated that the downstream treatment works, including City sewers and pump stations, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.
 2. A permit has been issued by the Illinois Environmental Protection Agency. The City permit shall expire on the expiration date of the Illinois Environmental Protection Agency permit. Those portions of the work, for which a City permit has been issued and the work has been approved by the City shall be completed within the permit time. Future construction on the project for which the original permit was issued shall require a new permit that will be issued in compliance with the ordinances of the City at the time of the application for the new permit. All fees and charges assessed under the conditions of the City permit are forfeited by the applicant/owner upon the expiration of the permit.
 3. The City has received an agreement and bond executed by the permittee wherein he agrees to make and install the improvements in accordance with plans and specifications identifying a completion date not more than six (6) months after the date of the agreement unless the City Council determines, on the basis of the recommendation of the City Engineer, that a longer time is necessary.

The guarantee for completion of the improvements by the permittee shall be in the principal amount of 150 percent of the estimated cost as approved by the City Engineer; and secured by either:

- a. A certificate of deposit with or an escrow account at a federally insured bank or savings and loan association subject to draw by the City to complete the improvements if it is not completed within the prescribed time limit.
- b. A clean, non-declining, irrevocable letter of credit issued by a federally insured bank or savings and loan association. The letter shall be approved by the City and provide that funds may be drawn only by the City.

The bond shall remain in effect for a period of one (1) year after acceptance of the work by the City Engineer as a guarantee of good faith of the permittee to correct defects. At the discretion of the City Council, the bond may be reduced during the maintenance period.

4. The City has received copies of all permits, insurance and bonds required for street openings or stream crossings and any other permits required by an agency having jurisdiction.
5. The City has received Certificates of Insurance protecting the City from any liability or damage whatsoever from injury, including death, to any person or property. The amount of the insurance shall be as established by the City Council.
6. The City has received payment for the cost of the permit and the estimated cost of inspection. The cost of inspection shall include resident supervision if deemed necessary by the City Engineer. The estimated cost of inspection, approved by the City Engineer, shall be deposited with the Treasurer prior to the start of work and additional funds added during the work if required. The permittee, however, shall pay only the actual costs of such services based on standard engineering fees as determined by the City Engineer. At the completion of the work any unused portion of the amount deposited will be returned to the permittee. No interest shall be paid on deposited funds.

C. Construction Requirements

1. The rules, regulations, ordinances and policies listed hereafter and issued by the authorities indicated are incorporated herein by reference and shall govern the work so far as they apply to said work.
2. The City's Municipal Code, ordinances, rules, regulations, resolutions, policies, directives and instructions that may be adopted or issued from time to time by the City.

- a. "Standard Specifications for Water and Sewer Main Construction in Illinois" latest edition.
 - b. The Illinois Environmental Protection Agency's rules, regulations, technical releases and requirements.
 - c. "The Illinois Recommended Standards for Sewage Works," IEPA, latest edition.
 - d. "The State of Illinois Plumbing Code" (latest edition)
3. The permittee agrees that they shall provide adequate inspection during the entire construction period which, at the option of the City, may require a full-time resident engineer. In such event, upon the request of the City, the permittee shall provide a full-time resident engineer for the necessary construction period. The City reserves the right to review the construction.
 4. Changes in the work to be done or materials to be used from those shown on the plans or set forth in the specifications, as submitted to the City, shall be approved by the City prior to the changed work being done or the changed materials being installed.
 5. The Contractor or the Contractor's representative, constructing the sewer extension shall notify the City 24 hours prior to commencing construction. When the construction of the sewer extension is interrupted for a period of seven (7) calendar days or more, the City shall be notified 24 hours prior to continuing construction of the sewer extension.
 6. At the time a sewer extension is connected to an existing sewer, the connection shall be made at an existing manhole or in a manhole constructed over the existing sewer. If an existing manhole is the point of connection and a suitable stub is not provided for the extension, the existing manhole shall be core drilled and a suitable connection stub installed. The sewer extension shall be plugged with a water tight concrete plug by the Contractor at the time the connection to the existing sewer is made. The plug shall be maintained in place at all times until the sewer extension is approved in writing by the City. If the plug is not maintained in place, the City shall install a concrete plug and charge a fee to the Contractor for each time a plug is installed by the City. The fee for the installation of a plug is established annually by the Department of Public Works and is available in the 'Public Works Water Meter and Tap Fee' list. Mechanical plugs are also an acceptable means of plugging the sewer to maintain it out of service.
 7. Upon completion of construction, the contractor shall notify the City

requesting final review of the work. The Contractor shall televise the completed extension in the presence of a City Reviewer who will take immediate possession of the videotape prior to leaving the site. The City shall review the work for conformance with the City's requirements and adherence to the approved plans and specifications for which the City's sewer extension permit was issued. If deficiencies are found in the work, the City shall furnish the Contractor with a listing of such deficiencies in writing. When the Contractor believes that the deficiencies have been corrected, the Contractor shall request a re-review of the work. Should the re-review of the work show that the deficiencies as set forth have not been corrected, the Contractor shall make the necessary corrections, and subsequent to that, shall notify the City and request another review. The City shall charge a fee for each additional inspection after the first inspection following the issuance of the list of deficiencies. The fee for each additional review is published as part of the 'Public Works Permit Fee' list.

8. All sanitary sewers shall be constructed within public rights of way or within easements dedicated for public utilities. No sanitary sewer mains shall be installed in the rear or side yard of any property unless first approved by the DPW.
9. Minimum sanitary sewer main size shall be eight-inch (8") diameter for public sewer mains of sewer mains serving more than one building.
10. Manholes shall be pre-cast reinforced concrete sections meeting ASTM C-478 and ASTM C-443 standards. Manholes for sanitary sewers twenty-four inches (24") or less in diameter shall have a minimum inside diameter of forty-eight (48"). Sanitary sewers greater than 24 inch in diameter shall have a minimum inside diameter of sixty (60") and be spaced at a maximum of 400 feet. Additionally, manholes will be installed under the following conditions; termination of existing and future lines, changes in direction (horizontal or vertical), changes in shape or pipe size, or junctions with other sewers.

Drop manholes shall be provided for manholes with any pipe having a difference in invert elevation more than twenty four inches (24") above the invert of the sewer leaving the manholes. All drop manholes shall be of the external type. No internal drop manhole connections will be allowed.

D. Project Completion

No connection permits shall be issued or building permits released until such time that final approval of the improvement has been made in writing by the City. Final approval is contingent upon the following:

1. All punch-list work has been completed;

2. As-built plans prepared by a Registered Illinois Professional Engineer are furnished to the City;
 3. The sewer has been televised by the Contractor or by the entity in the presence of City personnel; and
 4. A video record of the television inspection has been provided to the City. In addition to a video record, Air Exfiltration Testing as outlined in Division III, Section 31-1.11 of the Standard Specifications for Water and Sewer Main Construction in Illinois, will be completed prior to acceptance.
- E. Connections to Extension. No connection shall be made to the sanitary sewer until sewer connection permits have been issued by the City under Division 3 of this Article.
- F. Performance Bond Release. The performance bond will not be released until the guarantee period has expired and the following documents are filed with the Clerk and approved by the City Council:
1. As-built drawings: 1 reproducible set and 2 sets of prints;
 2. Release of all permits, and
 3. Copies of all tests required by the City Engineer.

Division 3: Sewer Connection Procedures

7.30 Use of Public Sewers Required

- A. It shall be 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.

It shall be unlawful to discharge to any natural outlet within the City, or in any area under the jurisdiction of said City without the express approval from the DWW that all state and federal effluent limitations have been met and there are no reasonable alternative methods of disposal.

- B. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.
- C. The owner of all the houses, buildings, or properties used for human occupancy, employment, recreation or other purpose situated within the City and abutting on

any street, alley or right-of-way in which there is now located or may in the future be located any public sanitary sewer of the City, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Article, within 90 days after date of official notice to do so, provided that said public sewer is within 100 feet (30.5 meters) of the property line. If such public sewer benefits other properties, the City shall enact a recapture ordinance and make best efforts to collect and return to the owner amounts received from the benefited properties. All public sewer extensions shall be made in accordance with Section 7.21 of this Article.

7.31 Private Sewage Disposal

No person shall construct a wastewater treatment facility within the corporate limits of the City or in any area under the jurisdiction of the City for the purpose of treating wastewater and discharging same to a water course unless the following provisions are met.

- A. For the purpose of treating industrial wastes, the Director of Water/Wastewater (DWW) determines that the wastewater treatment facilities have inadequate capacity, and issues a permit for the construction and operation of a wastewater treatment facility. No City permit shall become effective until:
1. The DWW has approved the plans and specifications in writing,
 2. Approval has been obtained from the DuPage County Department of Health,
 3. An IEPA permit issued to construct the facility has been received,
 4. An IEPA NPDES permit to operate the facility has been issued and received, and
 5. The final inspection has been completed and the installation is completed to the satisfaction by the DPW.

Persons operating a wastewater treatment facility shall file copies of all operating reports sent to the USEPA and IEPA with the DWW and such other reports as the DWW deems necessary.

- B. Where a public sanitary sewer is not available under the provisions of Section 7.30 of this Article and the wastewater source to be treated is domestic in nature, the building sewer shall be connected to a private sewage disposal system employing subsurface absorption facilities.

No person shall construct a private wastewater treatment facility with subsurface disposal without previous approval from the DWW. If approval is given the person must adhere to the following limitations..

1. Permit Requirements

- a. Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the DWW. The application for such permit shall be made on a form furnished by the City which the applicant shall supplement by any plans, specifications and other information as deemed necessary by the City. A permit and inspection fee as published in the current 'Public Works Fee' list or reimbursement of costs shall be paid to the City at the time the application is filed. The permit shall not be issued until applicable State and County permits are on file.
- b. The type, capacities, location and layout of a private sewage disposal system shall comply with all regulations and provisions of the State of Illinois Private Sewage Disposal Licensing Act and Code, with the State of Illinois Environmental Protection Agency and the DuPage County Health Department, latest revision. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 43,560 square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- c. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the City. The City shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the City when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 24 hours of the receipt of written notice by the City, except that no inspections will be made at any time other than regular City working hours.

- C. Where development is possible but gravity sewers and conventional sewer systems are not practical.

It is the policy of the City to approve grinder pump systems on a discretionary case-by-case basis. In order to implement a grinder pump system, a developer or individual homeowner must prove to the City that a grinder pump system is the only viable option other than a conventional sanitary sewer system. A permit for a private wastewater treatment facility employing a grinder pump system shall not be issued until the design and installation is completed to the satisfaction of the City.

1. Installation: The City shall be allowed to inspect the work at any stage of the construction and, in any event, the applicant for the permit shall notify the Building Commissioner when the grinder pump system is ready for final inspection, and before any underground portions are covered.

2. **Operation and Maintenance:** The DPW or his designee shall be entitled to inspect the grinder pump system if said DPW has any reason to believe that the grinder pump system is not operating properly or pursuant to a routine inspection protocol developed by the DPW. Should the grinder pump system fall into disrepair or otherwise need maintenance as determined by the City, and the owner refuses to repair, replace or otherwise fix the grinder pump system to the specifications of the City, the City may do so at its own expense and obtain reimbursement from the individual owner. In that regard, and as a condition of obtaining a City permit for a grinder pump system, the individual owner shall enter into a contractual agreement indemnifying the City for any costs the City may incur with regards to maintaining the grinder pump system, and further allow the City reasonable access to the grinder pump system for inspection purposes.

D. Other provisions.

1. 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.
2. As provided in Section 7.31(B) of this Article, at such time as a public sewer becomes available to a property served by a private sewage disposal system, a direct connection shall be made to the public sewer within 60 days in compliance with this Article. Any septic tanks, cesspools and similar private sewage disposal facilities shall be cleaned of sludge and filled with suitable material such as clean bank-run gravel or dirt.
3. No statement contained in this Section shall be construed to interfere with any additional requirements that may be imposed by the DuPage County Department of Health.

7.32 Building Sewer and Connections

A. Permit Requirements

No person shall construct a new wastewater source and connect same to the wastewater facilities of the City without first making application for the privilege of making said connection to the City.

1. 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 DPW and an IEPA permit when required under 35 IAC 309.
2. No addition to or alteration of any building sewer shall be made or caused to be made by any person without a permit from the DPW and then only through a sewer contractor. No permit shall authorize anything not explicitly stated in

the application.

3. 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, the Illinois Environmental Protection Act and regulations promulgated thereto, and the Elmhurst Municipal Code.
4. There shall be two classes of building sewer permits: for Residential wastewater service, and Non-Residential (at a minimum commercial, institutional / governmental or industrial) wastewater service. In either case, the owner or his agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the DPW.
5. Persons desiring to construct a new waste source and connect it to the wastewater facilities of the City shall state the quantity, quality and rate of discharge into the sewer. The non-residential user, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics and type of activity per Section 7.40 of this Article. In the case of any fraudulent representation upon the part of the user as determined through the procedures provided in the City's "Enforcement Response Plan", the permit fees will be forfeited and the use of the sewer stopped.
6. 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 treatment facilities, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load based on the population equivalent.
7. The applicant will secure a building permit if the waste source is new equipment to be installed in an existing building with an existing sewer.

B. Building Sewer Connections

1. For new construction and/or significant renovation of a building, a separate and independent building sewer shall be provided for every building, except that where one 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 and the whole considered as one building sewer and may be done only with the explicit approval of the DPW.
2. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the DPW or his designee, to meet

all requirements of this Article. All costs shall be borne by the applicant.

3. The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society of Testing Materials, Water Pollution Control Federation Manual of Practice No. 9, and Standard Specifications for Water and Sewer Main Construction in Illinois shall apply.
4. No building sewer shall be laid parallel to or within 3 feet of any bearing wall. No building sewers shall be installed in any place where they may be subject to freezing temperatures unless adequate provisions are made to protect them from frost. Changes in direction shall be made only with properly curbed pipe and fittings, or a manhole, as determined by the DPW.
5. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by approved artificial means and discharged to the building sewer. Where possible, all building sanitary services shall be "overhead" installations. Buildings having basements will have a pump or ejector provided to pump the wastewater to the sanitary sewer service for gravity transport to the sewer main.
6. The connection of the building sewer into the public sewer shall be a saddle connection and conform to the requirements of the City's municipal code, the building and plumbing code, or other applicable ordinance rules and regulations of the City, or the procedures set forth in appropriate specifications of the American Society of Testing Materials, Water Pollution Control Federation Manual of Practice No. 9, and Standard Specifications for Water and Sewer Main Construction in Illinois. All such connections shall be made gastight and watertight.

C. Construction Requirements

Construction may not be started until fees are paid consistent with Section 7.33 of this Article and a written permit is issued by the City after issuance and receipt of an IEPA permit for the project when applicable. The following conditions are also required:

1. The applicant shall secure a street opening permit from the DPW when appropriate in conformance with the provisions of Chapter 5 (Streets, Alleys and Sidewalks) of the Elmhurst Municipal Code.

2. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City. Failure to properly barricade will be cause for the job site to be shut down and a \$100 penalty must be paid before any further work can commence.
3. The applicant for the building sewer permit shall notify the Director of Public Works (DPW) 24 hours prior to the start of any underground piping installation and when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of a qualified Duly Authorized Agent of the City during regular City working hours.
4. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
5. The applicant shall file a certificate of liability insurance in the amount of a minimum of \$2,000,000 with the City to protect the City from any liability or damage whatsoever for injury, including death, to any person or property.
6. Minimum building sanitary service sewer size shall be six-inch (6") diameter. All cleanouts shall be installed on the owner's property and not in City ROW. The maximum distance between cleanouts is 120 feet.
7. Sewer services shall not be connected to manholes. All sanitary sewer services serving single-family residences shall have "blind" connections to the sewer main (as stated in Paragraph C.8., below) Only exceptions are when homes are located in a Cul de Sac and the connection to the sewer main would be impractical. This exception must be approved by the DPW.
8. Sewer service connections to existing sewer mains shall be made by the installation of a strap-on saddle with stainless steel banding in accordance with manufacturers' recommendations. Romac "CB" style saddles with stainless steel bands, Geneco "Sealtight" strap-on saddles, PVC saddles meeting ASTM D3033/ASTM S3034, or other approved manufacturers may be accepted.

The installation of the new saddle fitting will be use of a circular sawcut by proper tools ("shewer tap" machine or similar device). All such connections shall be done in the presence of the DPW, or their designated representative. After the saddle connection has been made, encasement in four (4) to six (6) inches of concrete may be required to provide a secure and watertight connection collar if in the opinion of the inspector the existing pipe is not

sufficiently stabilized. Factory wye/tee, Inserta tee © to be allowed on eight (8) or ten (10) inch sewer main pipe if approved by DPW.

D. Sanitary Sewer Uses Outside of the Corporate Limits of the City

No permit shall be issued for the tapping into or use of sanitary sewer facility under the jurisdiction of the City for any location outside of the corporate limits of the City until the person or user executes a perpetual, binding recordable agreement that runs with the land to comply with and be governed by all applicable Sections of this Article.

E. Sewer Installation Acceptance

1. A one (1) year warranty will be submitted to the City by the Contractor doing the sewer installation against all defects including poor workmanship, improper installation, or material failure. The warranty will require the Contractor to correct any problems with the installation discovered during that one year period.
2. A video recording will be required of the entire length of the sewer service from the building to the main sewer including the connection into the main sewer. The video shall be in a format readily viewable by the City.

7.33 Fees

The following fees shall be charged for when permitting and constructing a new wastewater source and connecting it to the wastewater facilities of the City:

- A. A permit review and inspection fee in accordance with the current fee schedule for sewer permit shall be paid to the City at the time the residential application is filed. Permit review costs for non-residential permits will be determined on a case-by-case basis by the DPW.
- B. An inspection fee in accordance with the current fee schedule shall be paid for any additional inspections. This includes but is not limited to inspections of sampling manholes, flow metering or sampling equipment, garbage grinders, grease, oil and sand interceptors, and grease traps.
- C. Connection fees:

The Building Department fees schedule is updated annually and shall be used for determining appropriate fees to be paid for connections to the City sewer system.

1. For uses involving extra strength wastewater:

- a. The DWW may require industrial or commercial sewer users to report to the DWW concentrations and flow rates of wastewater discharged to the City collection system. For wastewater the strength of which exceeds normal domestic wastewater in any constituent the fees shall be based as follows. In the event that the wastewater exhibits a ratio of BOD₅ to COD of less than 0.3, the BOD₅ population equivalent will be calculated on the basis of 1/3 of the COD value. A permit connection fee then will be charged on the basis of the impact on a treatment works as the equivalent of the highest population equivalent of the three parameters: flow, BOD₅ or TSS. If the City does the sampling a fee for those costs shall be issued.
- b. When the volume and strength of the wastewater to be discharged to the public sanitary sewers is not known at the time of the connection, the fee shall be estimated and adjusted to reflect actual conditions during the billing period just prior to a full year of operation.
- c. The volume and strength of the wastewater for fee purposes shall be the maximum daily discharge of constituents.
- d. When a connection is made based on the applicant's statement that the strength of the wastewater does not exceed normal domestic wastewater in any constituent, and at the end of the billing period just prior to a full year of operation it is determined that the wastewater does exceed domestic wastewater in strength, the DWW may accept or reject the wastes and backcharged the applicant for fees plus penalties for the extra strength waste or have the service disconnected and the premises closed.

7.34 Use of Public Sewers

It shall be unlawful to discharge or cause to be discharged to any facility served by the City, without having first complied with the terms of this Chapter. At minimum, all Users are subject to the Prohibited Discharge Standards in Section 7.51, Change Notification in Section 7.95 and Hazardous Waste Notification in Section 7.98 if applicable. Spill/Slug Control Planning may also be necessary for some Non-Residential Users as identified in Section 7.62.

7.35 Monitoring Facilities

- A. An inspection fee as provided in Section 7.33 shall be paid to the City prior to issuance of the permit should it be determined that the User is required to install any of the following structures:
 1. **Sampling Manhole Requirements.** All users located in areas zoned industrial and such other users as required by the DPW, except domestic users, are required to install a monitoring manhole for each separate discharge in the building sewer in accordance with the plans and specifications approved by

the Director of Public Works (DPW). Each manhole shall be situated on the user's premises in an easement dedicated to the City for such purposes.

Where such a manhole location would be impractical or cause extreme hardship on the user, the DPW may concur with the manhole being constructed in the public street or sidewalk area providing that the manhole is located so that it shall not be obstructed by landscaping or parked vehicles. In those cases where a sampling manhole must be in a parking lot, a permanent barricade, such as a vertical pipe shall be placed around the manhole to prevent vehicles from driving or parking over the manhole cover. Any waiver of the requirement for a sampling manhole will be handled on case-by-case basis by the DPW when it is determined that the discharge is solely from a domestic source and the site is not in a zoned industrial area.

The sampling manhole shall be located on the sewer connection pipe at a point where there are no changes in grade or alignment for at least 15 pipe diameters upstream and downstream from the manhole. The grade (slope) of the pipe shall not exceed 1% (1 foot per 100 feet) through the manhole and for a distance of 15 pipe diameters upstream and downstream from the manhole.

There shall be ample room in or near such sampling manhole to allow accurate sampling and preparation of samples for analysis. The manhole shall be installed and maintained by the owner/user at his sole expense so as to be safe and accessible to the City at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.

2. Liquid Quantity Measurements. All Significant Industrial Users may be required to install an open channel flow measuring device in said sampling manhole. When required, the sampling chamber shall contain a Palmer-Bowlus or Parshall flume or equivalent, unless a weir or similar device is approved by the City.

The City may, at its option, based on the water usage and/or waste loadings, require the user to install a device with a recording and totalizing register for measurement of the liquid quantity. The device shall include a circular chart recorder, suitable to record seven (7) days of flow. The equipment required to indicate, record and totalize the flow shall be located in a warm dry location and be accessible to the City for reading. This equipment shall be installed and maintained by the user at his sole expense. Should the requirement be made, the user shall complete installation of the flume and secondary flow measuring device based on the installation schedule approved for such device by the City.

The user shall be required to calibrate and maintain the flow metering equipment in accordance with the manufacturer's recommended procedures and frequencies. Users who operate flow measuring devices shall submit in writing such procedure for operation and maintenance (O&M) to the City. The User shall further document O&M in a log which shall be available for inspection by City personnel. At minimum, the user shall submit a semi-annual calibration report performed by an outside representative by the deadline defined in the user's discharge permit. The user shall submit flow records to the Pretreatment Coordinator monthly.

3. **Sampling Equipment.** The City may, at its option, based on water usage and/or waste loadings or when the waste loads cannot be accurately evaluated by time composite samples, require the user to install sampling equipment. This equipment shall be installed and maintained by the user at his sole expense.

Users shall submit the procedure for operation and maintenance of the sampling equipment to the City. The user shall further document O&M in a log which shall be available for inspection by City personnel. At minimum, the user shall submit an annual report confirming the accurate operation of the equipment performed by an outside representative by the deadline defined in the discharge permit.

7.36 Additional Structures Required for the Use of the Public Sewers

- A. An inspection fee as provided by Section 7.33 shall be paid to the City prior to issuance of the permit should it be determined that the User is required to install any of the following structures:
 1. **Garbage Grinders.** Garbage is required to be properly shredded in order to be approved to be discharged to the public sewer. Wastes classified as properly shredded garbage contain all particles being carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension. The installation and operation of any garbage grinder equipped with a motor of three-fourths horsepower (0.76 hp metric) or greater shall be subject to review and approval of the City.
 2. **Grease, Oil, and Sand Interceptors.** Interceptors shall be provided in services connected to the City where it is determined that they are necessary for the proper handling of the wastewater containing excessive amounts of grease and oil, sand, acid or alkaline or other chemicals except that such interceptors shall not be required for private living quarters or dwelling units. All interception units shall be of type and capacity approved by the City and shall be so located to be easily accessible for cleaning and inspection. Such interceptors

shall be inspected, cleaned and repaired regularly, as needed, by the owner at his expense.

3. Grease Traps and Interceptors – Food Service Establishments. Grease traps and interceptors (collectively referred to as grease traps) are required to be installed in all new Food Service Establishments (FSE). All grease traps shall be of a type and capacity approved by the DPW based on an evaluation of the volume and characteristics of the discharge in conjunction with the operating plan of the FSE. Grease traps may be required to be installed or modified in existing FSE, FSE that have caused or contributed to overflows and/or blockages, and FSE that perform remodels as determined by the Pretreatment Coordinator.

Each grease trap will be sized so that it will continuously produce an effluent containing less than 100 mg/l of Fats, Oil and Grease (FOG). All grease traps units shall be so located to be easily accessible for cleaning and inspection. Such grease traps shall be inspected, cleaned and repaired regularly, as needed, by the owner at his expense. In the event that actual operations of the grease traps fail to produce results that prevent prohibitive discharges as defined in Section 7.51 of this Article, the owner of the FSE will be required to install additional pretreatment as necessary.

Any waivers of these requirements for installations at establishments only serving beverages and snack bars with no food preparation other than food warming will be handled on a case-by-case basis by the DWW. Variances will be issued based on installation limitations, grease generating capabilities and pumping frequency. While variances may result in an alteration of the grease trap requirements, it will not waive the requirement to prevent prohibitive discharges through alternate technologies and practices.

4. Laboratory and facilities commonly using acid or alkaline chemicals or compounds must install a neutralizing basin. All basins shall be of type and capacity approved by the City and shall be so located to be easily accessible for cleaning and inspection. Such basins shall be inspected, cleaned and repaired regularly, as needed, by the owner at his expense.

Equipment and devices installed under this section shall not be considered to provide pretreatment to wastewater. Any user operating devices installed in this Section shall submit operating data as may be required by the City.

- B. If the City requires the equalization or pretreatment of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the City, and, subject to the requirements of all applicable codes, ordinances and laws. Said facilities shall also be subject to approval by IEPA consistent with IEPA regulations.

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

7.37 Sewer Line Maintenance/Replacement

- A. The property owner is responsible for the maintenance and repair of the private sewer line from their structure to the main sewer or public sewer including the tap into the main/public sewer.
- B. In the event the property owner finds it necessary to excavate the private sewer line for maintenance or replacement, such costs and expenses shall be the property owner's responsibility.
- C. In those instances when property owners have had to excavate and as a result the sidewalk, curb and street have been dug out, the City will be responsible for the restoration of the street (surface and sub-surface) curb and sidewalk.
- D. In those instances where Subsection C., above, is involved, it is recommended tunneling under the curb and sidewalk whenever practical. Sidewalk and curb must be cut when removal is required
- E. All work, as it is related to the replacement and/or repair of the private sewer line, shall be in conformance with the City standard construction specifications and will be inspected by a Duly Authorized Agent of the City during the repair and replacement.

7.38 Automobile Service, Repair and Fuel Dispensing Properties

- A. When property use involves automotive repair or handling, sale and dispensing of petroleum products and/or automatic fluids, all such users shall have installed a sampling manhole consistent with the requirements of Section 7.35 of this Article. All sampling manholes of this type shall be monitored throughout the year in a manner secured and coordinated by the Pretreatment Coordinator. Additionally, any property involved in the repair or servicing of automobiles, trucks, or engine-powered equipment shall install a triple basin oil separator in the sanitary line (per State of Illinois Plumbing codes) servicing the repair area of the building. This system shall be cleaned, serviced and inspected at least twice per year by the owner at his expense.
- B. When property use involves automotive repair or handling, sale and dispensing of petroleum products and/or automatic fluids, there shall be a separate drainage system constructed to collect all fluids from the areas associated with pump

islands and under pump canopies. This separate drainage system shall collect these fluids and hold them in a separate sealed tank for testing and removal by approved special waste handling methods. All fuel dispensing equipment, piping and venting shall be installed in accordance with the standards listed below and be in accordance and in compliance with the City's current adopted building, electrical and fire codes:

1. Guidance Manual for LUST Cleanups in Illinois, September 1989; and Leaking Underground Storage Tank Manual, September 1991; both published by IEPA, 2200 Churchill Road, P.O. Box 19276, Springfield, IL 62794-9276.
2. Recommended Practices for Installation of Underground Liquid Storage Systems, PEI/RP 100, 1994; published by Petroleum Equipment Institute, P.O. Box 2380, Tulsa, OK 74101.
3. Flammable and Combustible Liquid Code, NFPA/30, 1993; Automotive and Marine Services Station Code, NFPA/30A, 1993; National Electric Code, NFPA/70, 1993; and Underground Leakage of Flammable and Combustible Liquids, NFPA/329, 1992; all published by National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, MA 02269-9904.
4. Underground Storage Tanks; Technical Requirements and State Program Approval; Final Rules, 40 CFR Parts 280 and 281, Part II, Federal Register, Friday, September 23, 1988; and Musts for UST's: A Summary of the New Regulations for Underground Storage Tank Systems, and Hazardous Waste Management Standards, Federal Register, July 14, 1986, both published by USEPA, Office of Underground Storage Tanks, 401 M Street, S.W., Washington, DC 20460.
5. Rules of the Illinois State Fire Marshall, Parts 170 & 180, Title 41, Chapter 1, State of Illinois, Office of the Fire Marshall, 1035 Stevenson Parkway, Springfield, IL 62703.

C. Jurisdiction:

1. These requirements shall be met by any person whose property use is associated with automotive repair or the handling, sale or dispensing of petroleum products and/or automotive fluids, where any water main, wastewater or stormwater facility is under the jurisdiction of the City, regardless of whether or not such property lies within the corporate limits of the City.
2. The requirements of Section 7.38 of this Article shall not be applied to existing property uses except that whenever a permit shall be required for new construction or reconstruction of a property use associated with automotive repair or the handling, sale or dispensing of petroleum products and/or

automotive fluids, involving placement, replacement, reconfiguration, removal or modification of any fueling area, compliance with the provisions of Section 7.38 shall be required.

Division 4: Information Required of Non-Residential Users

7.40 Initial Survey (Questionnaire)

- A. The Initial Survey shall be completed in order to ensure that said Users of the Wastewater Treatment Works of the City adhere to and comply with the restrictions and prohibitions set forth in Section 7.51 of this Article pertaining to Prohibited Discharges into the Wastewater Treatment Works of the City, and to facilitate the City's investigation of apparent or suspected violations thereof. The requirements are as follows:
1. All existing or new Non-Residential users, or in areas receiving sewer service from the City, shall complete and submit an Initial Survey on a form provided by the City when requested by the City.
 2. All users defined in Section 7.40(A1) of this Article seeking to establish a new account for sanitary sewer service from the City or to establish a new connection to the Wastewater Treatment Works of the City shall file a completed Initial Survey with the City as a condition to the establishment of such new sanitary sewer service account or connection to the Wastewater Treatment Works of the City.
 3. The Initial Survey shall contain a statement affirming the truth, completeness and correctness of information submitted signed by an Authorized Representative of the user as defined in Article I (Definitions) of this Chapter.
 4. All users as defined above in Section 7.40 that fail to complete and submit to the City an Initial Survey shall be in violation of the provisions of Section 7.40 and shall be subject to all of the applicable penalties thereof, including but expressly not limited to the revocation of all permits and approvals previously granted to the commercial or industrial user in question for the discharge of sewage or wastewater into the Wastewater Treatment Works of the City.

7.41 Affirmation to Initial Survey

- A. The City shall determine based on building, zoning and occupant usage whether the user shall be required to file a Triennial Affirmation of Survey. The users status will be defined by the City after review of the Initial Survey submitted as required in Section 7.40 of this Article.

- B. Any user, defined in Section 7.40 above, having filed an Initial Survey where the information remains true, complete and correct in all respects may be required to submit a statement that the information remains current.
1. The statement is required to be signed by an Authorized Representative of the firm.
 2. The statement will be due not later than January 31 of each year required.
 3. All users defined above that fail to file an Affirmation of Survey with the City shall be in violation of the provisions of Section 7.40 and shall be subject to all of the applicable penalties thereof, including but expressly not limited to the revocation of all permits and approvals previously granted to the commercial or industrial user in question for the discharge of sewage or wastewater into the Wastewater Treatment Works of the City.

7.42 Reports of Changed Conditions

- A. Any user, as defined in Section 7.40 above, that makes any changes determined to be substantial as defined in Section 7.95 shall report said changes as required in Section 7.95. Reports of changed conditions are required to be made prior to the change. The user may be required to file an updated survey as a result of changed conditions.

Division 5: General Discharge Requirements

7.50 Applicability

It shall be unlawful to discharge or cause to be discharged to any facility served by the City, without having first complied with the terms of this Article.

Users must meet the most stringent applicable requirements and limitations at all times either as set forth in this Article, or in individual Wastewater Discharge Permits, Federal pretreatment standards as established by 40 CFR 403, or State of Illinois standards as codified in 35 IAC 307. Said users shall provide the necessary wastewater treatment to achieve compliance with all National Categorical Pretreatment standards and requirements within the time limitations as specified by the Federal Pretreatment Regulations, and with any other pretreatment standards including local limits and requirements, by applicable deadlines.

7.51 Prohibited Discharge Standards

- A. No user shall contribute or cause to be contributed, directly or indirectly to the City sewage works, any pollutant or wastewater contaminant which will pass through, cause interference with, inhibition of, or upset to the operation of the POTW;

- B. No user shall increase the use of potable or process water in any other way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment in order to achieve compliance with a pretreatment standard or requirement except where expressly authorized to do so by an applicable categorical pretreatment standard; and
- C. No user shall contribute, or cause to be discharged, either directly or indirectly, any of the following described pollutants, substances or wastewater into the POTW works:
1. Any unpolluted water including, but not limited to, uncontaminated non-contact cooling water, storm-water, surface and ground-waters, subsurface drainage, roof run-off, spill contaminant area run-off, footing drains or construction drainage except as specifically permitted by the Pretreatment Coordinator;
 2. Any solids, solid wastes, liquids or gases which by reason of their nature or quantity, are or may be sufficient, either alone or by interaction, to cause safety hazards, fire or explosion or be injurious in any other way to the facilities or personnel of the City, or to the operation of City POTW. Materials considered in this regard are those with a closed cup flashpoint of less than 140° F. or 60° C. using the test methods specified in 40 CFR 261.21;
 3. Any solid, solid waste or viscous substance which shall or may cause obstruction to the flow in a sewer, or other interference to the operation of the wastewater system. Prohibited materials include but are not limited to: grease, grease trap wastes, garbage with particles greater than one-half (1/2-inch) in any direction, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains or hops, paper, wood, plastics, residues from gas, tar or asphalt, residues from refining or processing of fuel or lubricating oils, mud or glass grinding or polishing waste, fatty acids or esters of fatty acids, or any material which can be disposed of as trash;
 4. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass-through;
 5. Any wastewater containing noxious or malodorous solids, liquids, or gases, which either singly or by their interaction are capable of creating a public nuisance or hazard to life, or to interfere with, inhibit or upset any operation of POTW Works, including but not limited to, prevention of entry into sewers for their maintenance and repair;
 6. Pollutants which result in the presence of toxic gases, vapors, or fumes within

the POTW in a quantity that may cause acute worker health and safety problems or which necessitates the City taking special measures to counteract and/or alleviate the impact of the pollutant(s);

7. Any wastewater having a temperature which shall inhibit biological activity in the City's POTW facilities, but in no case heat in such a quantity that the influent temperature at the sewage treatment plant to which the user discharges will exceed 40° C. (104° F.);
8. Any substance or combination of substances which shall cause the City facilities to be in violation of its NPDES permit(s), or to cause the City's POTW to violate receiving stream water quality and/or general effluent discharge standards.;
9. Any substance with objectionable color which is not removed in the treatment processes, such as, but not limited to: dye waste, ink waste and vegetable tanning solutions;
10. Any wastewater having a pH less than 5.0 or higher than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel in the system. The pH limits shall be met at all times, and are not subject to averaging;
11. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction, to injure, interfere with or upset any wastewater treatment processes or facilities, constitute a hazard to humans or animals, or to exceed limitation as set forth in the existing Act, or the Act as it may be amended;
12. Any substance, which may cause the City's POTW effluents or sludges, to be unsuitable for reclamation and re-use, or interfere with the reclamation processes. In no case shall a substance discharged to the City's POTW cause the City to be in noncompliance with any sludge use or disposal regulations developed under Section 405 of the Act; or any regulations affecting sludge use or disposal developed pursuant to the Resource Conservation and Recovery Act, Solids Waste Disposal Act, Toxic Substance Control Act, or any State or local standards applicable to any sludge management methods either being used, or considered by the City;
13. Any pollutant, including oxygen demanding pollutants, released in a discharge at a flow rate and/or concentration (including any slug load), either singly or by interaction with other pollutants which may interfere with, inhibit, or upset the POTW;
14. Any wastewater containing any radioactive wastes or isotopes, except in accordance with City, State and Federal rules governing such discharges;

15. Any wastewater containing any organism, including viruses, considered pathogenic and/or detrimental to process organisms other than by direct excrement and any other wastes defined as medical waste;
16. Any leachate or remediation wastewater except those specifically allowed at the WWTP;
17. All trucked or hauled wastes except those specifically allowed at the WWTP;
18. Any sludges, screenings or other residues from the pretreatment of non-residential wastes;
19. Any wastewater causing the POTW effluent to fail a toxicity test;
20. Any wastes containing detergents, surface active agents or other substances which may cause excessive foaming in the POTW. Wastes prohibited in this section shall not be processed or stored in such a manner that they could be discharged to the POTW;
21. Any wastewater containing substances in sufficient quantity to interfere with the POTW;
22. Any solid, solid waste or viscous substances that have caused an obstruction to the flow in a sewer that is eliminated by a professional service or contractor;
23. Any substances that inhibit the use of UV for disinfection purposes;
24. 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); or
25. Wastewater or wastes containing substances which are not amenable to treatment or 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.
26. Wastewater or wastes containing iron pickling wastes or concentrated plating solutions whether neutralized or not.

D. Wastes prohibited in this Section shall not be processed or stored in such manner that they could be discharged to the POTW treatment works. All Users with prohibited wastes in this Section or those that have Hazardous Wastes as defined in Section 7.98 shall develop and implement a Spill Prevention/Slug Control Containment and Countermeasures Plan consistent with the requirements in

Section 7.62. Notice Requirements shall be permanently posted as provided in Section 7.96 (Reports of Potential Problems).

7.52 National Categorical Pretreatment Standards

The pretreatment requirement provided herein shall apply to all non-domestic users subject to National Categorical Pretreatment Standards, promulgated by the USEPA in accordance with Section 307(b) and (c) of the Act, currently discharging or scheduled to discharge to the City. The National Categorical Pretreatment Standards, found in 40 CFR Chapter 1, Subchapter N, Parts 405 – 471 are hereby incorporated into this Article.

Limits in Categorical Pretreatment Standards shall apply to the discharge from the process regulated by the standard or as otherwise specified by the standard. Compliance with National Categorical Pretreatment Standards is mandatory. The National Categorical Standards are contained in the IEPA Operating Permit.

- A. Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Pretreatment Coordinator may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c) unless specifically restricted by the categorical standard. These equivalent limitations calculated in accordance of the following requirements are deemed pretreatment standards. Users shall be required to comply with the equivalent limitations instead of the promulgated categorical standards from which the equivalent limitations were derived. An alternative pretreatment limit shall not be used if the alternative limit is below the analytical detection limit for any of the regulated pollutants.
- B. When the limits in a Categorical Pretreatment Standard are expressed only in terms of mass of pollutant per unit production, the City may, in its discretion, convert the limits to equivalent limitations expressed either as mass of pollutant discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual users.

The City calculating equivalent mass-per-day limitations shall calculate such limitations by multiplying the limits in the standard by the user's average rate of production. This average rate of production shall be based not upon the designed production capacity, but rather upon a reasonable measure of the user's actual long-term daily production during a representative year. For new sources, actual production shall be estimated using projected production.

The City calculating equivalent concentration limitations shall calculate such limitations by dividing the mass limitations by the average daily flow rate of the user's regulated process wastewater. This average daily flow rate must be based upon a reasonable measure of the user's actual long-term average flow rate, such as the average daily flow rate during the representative year.

- C. When wastewater subject to a categorical pretreatment standard is mixed with

wastewater not regulated by the same standard, Pretreatment Coordinator shall impose an alternate limit using the combined waste stream formula in 40 CFR 403.6(e) provided that the regulation allows the wastewaters to be mixed and the user can supply the information necessary to issue an alternative limit.

- D. A user may request a variance from USEPA based on fundamentally different factors. The request must comply with the procedural and substantive provisions in 40 CFR 403.13.
- E. A user may request a net gross adjustment to a categorical pretreatment standard in accordance with 40 CFR 403.15.

All users that are subject to National Categorical Pretreatment Standards are required to file reports as required in this Article, signed by an Authorized Representative per Division 9 of this Article. These reports shall include all information that the City deems necessary to make compliance determinations.

7.53 State Limits

- A. All users are subject to State Standards and requirements as defined in 35 Ill Adm. Code (IAC) 307. Specifically, the standards for discharge of mercury and cyanide are as follows:

- 1. Mercury (35 IAC 307.1102)

- a) Except as provided below, no person shall cause or allow the concentration of mercury in any discharge to a publicly owned or publicly regulated sewer system to exceed the following level, subject to the averaging rule contained in 35 IAC 304.104(a):

CONSTITUENT	STORET NUMBER	CONCENTRATION
Mercury	71900	mg/l 0.0005

- b) It shall be an exception to subsection a) if the discharge is to a publicly owned or publicly regulated sewer system which is required to meet a limitation less stringent than the 0.0005 mg/l mercury concentration in which case the discharge limitation shall be the same as that applicable to the publicly owned or regulated sewer system to which it discharges.
- c) It shall be an exception to subsection a) if all the following conditions are met:

- 1) The discharger does not use mercury; or, the discharger uses mercury and this use cannot be eliminated; or, the discharger uses mercury only in chemical analysis or in laboratory or other equipment and takes reasonable care to avoid contamination of wastewater; and,
 - 2) The discharge mercury concentration is less than 0.003 mg/l, as determined by application of the averaging rules of 35 IAC 304.104(a); and,
 - 3) The discharger is providing the best degree of treatment consistent with technological feasibility, economic reasonableness and sound engineering judgment. This may include no treatment for mercury; and,
 - 4) The discharger has an inspection and maintenance program likely to reduce or to prevent an increase in the level of mercury discharges.
- d) The discharge of wastes from medicinal or therapeutic use of mercury, exclusive of laboratory use, shall be exempt from the limitations of subsection a) if all the following conditions are met:
- 1) The total discharge is less than 227 g (one half pound) as mercury (Hg) in any year;
 - 2) This discharge is to a public sewer system; and
 - 3) The discharge does not, alone or in conjunction with other sources, causes the effluent from the sewer system or treatment plant to exceed 0.0005 mg/l of mercury.
- e) No person shall cause or allow any discharge of mercury to a publicly owned or publicly regulated sewer system which, alone or in combination with other sources, causes a violation by the sewer treatment plant discharge of the water quality standard of 35 IAC 302 for mercury applicable in the receiving stream.
- f) For purposes of permit issuance the Agency may consider application of the exception of Subsection (b) or (c), above, to determine compliance with this Section. The Agency may impose permit conditions necessary or required to assure continued application of the exception. When Subsection (b) or (c) applies, the Agency may impose an effluent limitation in the permit which allows the discharge of a concentration of mercury greater than 0.0005 mg/l but not more than 0.003 mg/l.

2. Cyanide Section (35 IAC 307.1103)

- a) No waste to any public sewer system shall contain more than 10 mg/l total cyanide (STORET number 00720) provided any sample tested shall not release more than 2 mg/l of cyanide when tested at a pH of 4.5 and at a temperature of 66 degrees C (150 degrees F) for a period of 30 minutes, except as permitted by subsection (b) below.
- b) Upon application by a county, municipality, sanitary district or public utility and approval by the Agency, based upon determination by the Agency that no violation of the effluent standards of 35 IAC 304 will result and that no hazard to workers in such sewage works will result, limited additional amounts of cyanide exceeding the standards in subsection (a) above may be discharged to the sewage works of such county, sanitary district, municipality or public utility.
- c) Nothing in this Section shall be construed as limiting the authority of any county, municipality, sanitary district or public utility to impose any more stringent standards or limitations on cyanide discharges to its sewage works.
- d) Any actions undertaken pursuant to subsection (b) above shall be subject to the limitations of 35 IAC 307.2400(b)(7).

7.54 Local Limits

The following pollutant limits are established to protect against pass through and interference.

A. Conventional Pollutants – Guidelines for Discharge

No user should discharge any wastewater containing concentrations greater than the guidelines as set forth below into any sewers that connect either directly or indirectly to the POTW Works.

<u>POLLUTANT</u>	<u>CONCENTRATION</u>
Ammonia Nitrogen	30.0 mg/l
BOD	250.0 mg/l
Oil and Grease	100.0 mg/l
TDS	3500.0 mg/l
TSS	300.0 mg/l

The City reserves the right to set specific standards for all applicable pollutants above on a case-by-case basis. These standards shall be set forth in a Wastewater Discharge Permit per Section 7.74 of this Article.

B. Toxic Pollutants

<u>POLLUTANT (total unless otherwise listed)</u>	<u>CONCENTRATION</u>
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Arsenic	0.7 mg/l
Cadmium	0.7 mg/l
Chromium	10.0 mg/l
Chromium (hexavalent)	1.5 mg/l
Copper	1.0 mg/l
Cyanide	0.4 mg/l
Lead	2.0 mg/l
Mercury	0.0005 mg/l
Molybdenum	0.9 mg/l
Nickel	0.8 mg/l
Selenium	reserved
Silver	0.4 mg/l
Zinc	0.6 mg/l

- C. The City reserves the right to establish, by ordinance or in a wastewater discharge permit, to require control over the quantities and rates of discharge.
- D. The City reserves the right to establish, by ordinance or in a wastewater discharge permit, mass limitations rather than concentration limitations on discharges.
- E. The City reserves the right to establish site specific standards for any applicable pollutants on a case-by-case basis. These standards shall be set forth in a Wastewater Discharge Permit per Section 7.81 of this Article.
- F. Any user discharging incompatible pollutants, oils and grease, BOD or TSS to the City's facilities that cause the City to alter its method of wastewater treatment or sludge disposal to a more costly method shall be assessed the differential cost between such more costly method of treatment and the method of treatment which would provide the lesser cost to the City. Such costs shall only be assessed upon approval of the City Council.

7.55 Right of Revision

The City reserves the right to establish, by ordinance or in wastewater discharge permits, more stringent limitations or requirements on discharges to the POTW.

7.56 Sampling Facilities

- A. Applicability.

All commercial and industrial users are required to install a monitoring manhole for each separate discharge in the building sewer in accordance with the plans and specifications approved by the City and Section 7.35 of this Article.

When required by the City, a Categorical Industrial User shall install a large manhole or sampling chamber for the regulation location of the categorically regulated discharge in the building sewer in accordance with plans and specifications approved by the City.

B. Sampling Facility Operation and Maintenance

1. Such facilities shall be installed and maintained at all times at the user's expense. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that the sample results are unrepresentative of its discharge. Installation will be consistent with the requirements of Section 7.35 of this Article.
2. The manhole or chamber located on a building sewer discharge shall be easily accessible to authorized representatives of the City twenty-four (24) hours per day, seven (7) days per week and shall be located in dedicated easements.
3. The manhole or chamber for a Categorical Industrial User at a discharge location within the building shall be accessible to authorized representatives of the City during normal operating hours.
4. Metered water supply may be used to determine wastewater flow if it is substantiated to the City that the metered water supply and wastewater quantities are approximately the same, or where an adjustment agreed to by the City is made in the metered water supply to determine wastewater flow. In the event that the wastewater flow cannot be substantiated at any regulated location, the user will be required to install flow monitoring consistent with Section 7.35 of this Article.
5. The sampling chamber, flow metering device, sampling equipment and documentation of the frequency of sampling, sampling methods and analysis of samples shall be subject, at any reasonable time, to inspection by the City.

7.57 Monitoring Requirements

A. Applicability

At minimum, all Significant Industrial Users are required to sample based on the frequency stated in the Wastewater Discharge Permit. Other users are required to

sample upon the request of the City.

B. Frequency

All users with Wastewater Discharge Permits must sample their effluent and report the results to the POTW at least twice yearly for those parameters specified in the user's Permit. The City shall have the right to perform its own sampling at any time.

C. Sample Collection

1. Except as indicated in Subsection 2., below, the user must collect wastewater samples using flow proportional composite collection techniques.
2. In the event flow proportional sampling is infeasible, the Pretreatment Coordinator may authorize the use of time proportional sampling at minimum collecting samples every 15 minutes during a 24-hour workday; or a minimum of four (4) grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged. A proportional number of samples shall be collected for wastewater discharges less than 24 hours. In addition, grab samples may be required to show compliance with instantaneous discharge limits.
3. Samples for fats, oil and grease, temperature, pH, cyanide, phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

7.58 Analytical Requirements

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by USEPA.

7.59 Protection of City Sampling and Flow Metering Equipment From Damage

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, or tamper with any structure, appurtenance, or equipment which is owned or contracted by the City. Any person violating this provision shall be subject to criminal and/or civil prosecution for such offenses.

Division 6: Pretreatment of Wastewater

7.60 Pretreatment Facilities

Each user shall provide wastewater treatment as necessary to comply with this Article and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in Division 5 (General Discharge Requirements) of this Article within the time limitations specified by USEPA, the State, or the Pretreatment Coordinator, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Pretreatment Coordinator for review, and shall be acceptable to the Pretreatment Coordinator before such facilities are constructed and before an EPA operating permit is issued. The review of such plans and operating procedures shall in no way relieve the user for the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the City under the provisions of this Article.

7.61 Additional Pretreatment Measures

- A. Whenever deemed necessary, the Pretreatment Coordinator may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and such other conditions as may be necessary to protect the POTW Works and determine the user's compliance with the requirements of this Article.
- B. The Pretreatment Coordinator may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. A wastewater discharge permit may be issued solely for flow equalization.
- C. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Pretreatment Coordinator, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of type and capacity approved by the Pretreatment Coordinator and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the user at their expense.
- D. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

7.62 Spill Prevention Containment and Countermeasures / Slug Control Plan

Any user that has on-site either prohibited discharge materials as defined in Section 7.51 or Hazardous Waste as defined in Section 7.98 shall develop and implement a Spill Prevention

Containment and Countermeasures / Slug Control Plan hereafter referred to a Spill Plan. At least once every two (2) years the Pretreatment Coordinator shall evaluate whether each Significant Industrial User needs a revision to its Spill Plan. The Pretreatment Coordinator may require any user to submit such Spill Plan or require modification of an existing Spill Plan based on changes that have occurred at the site or in response to an incident that had the potential to impact the POTW treatment works. Review of such plans and operating procedures by the City shall not relieve the user from the responsibility to modify the user's facility or Spill Plan as necessary to meet all requirements of this Article. A Spill Prevention Containment and Countermeasures / Slug Control Plan shall address, at a minimum, the following:

- A. Description of discharge practices, including non-routine batch discharges;
- B. Description of stored chemicals, including quantity of chemicals and type and number of storage containers;
- C. Site diagram showing location of all tanks holding greater than or equal to 250 gallons or areas containing 8 drums or more of raw materials, prohibited wastes, hazardous wastes or final product. Identification and location of all liquid materials is mandatory.
- D. Procedures for immediately notifying the Pretreatment Coordinator of any accidental or slug discharge, as required by Section 7.98;
- E. Location of Notice/Signs posted in conspicuous places advising employees whom to call in the event of a spill, accidental discharge of prohibited materials or a bypass of any part of a pretreatment system; and
- F. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response. Building containment structures or production equipment changes are considered procedures to prevent adverse spills. If containment structures are connected to the sanitary sewer, a valve normally left in a closed position is required.
- G. Logs to verify inspection and maintenance procedures to prevent adverse impact to confirm that said procedures are being performed on a regular basis must be maintained and incorporated into the procedures. Logs are required to verify valves are closed in containment structures.
- H. Emergency telephone number (24-hour) off-site and backup telephone number. If the Spill Plan has been submitted, any change in the telephone numbers should be submitted within five working days when revised.

Division 7: Wastewater Discharge Permit Application

7.70 Wastewater Information and Analysis

When requested by the Pretreatment Coordinator, a user must submit information on the nature and characteristics of its wastewater within thirty (30) days of the request. The Pretreatment Coordinator is authorized to prepare a form for this purpose and may periodically require users to update this information.

7.71 Wastewater Discharge Permit Requirement

- A. No Significant Industrial User who has a sewer connection permit shall discharge wastewater into the POTW without first obtaining a Wastewater Discharge Permit from the Pretreatment Coordinator except that a Significant Industrial User that has filed a timely application pursuant to this Article may continue to discharge for the time period specified therein.
- B. The Pretreatment Coordinator may require other users to obtain wastewater discharge permits as necessary to carry out the purposes of this Article. Any user subject to National Categorical Pretreatment Standards that opts not to discharge said waste shall obtain a Zero Wastewater Discharge permit issued by the Pretreatment Coordinator. Holders of Wastewater Discharge Permits issued under this section shall not be classified as Significant Industrial Users.
- C. Other users that may be required to obtain discharge permits, include but are not limited to, non-categorical zero process dischargers and Food Service Establishments. Holders of Wastewater Discharge Permits issued under this section shall not be classified as Significant Industrial Users.
- D. Any violation of the terms and conditions of a Wastewater Discharge Permit shall be deemed a violation of this Article and subject the wastewater discharge permittee to the procedures and possible sanctions set out in Divisions 13 through 15 of this Article. Obtaining a Wastewater Discharge Permit does not relieve a permittee of its obligation to comply with all Federal and State pretreatment standards or requirements or with any other requirements of Federal, State, and local law.

7.72 Wastewater Discharge Permitting: Existing Connections

Any user required to obtain a Wastewater Discharge Permit who was discharging wastewater into the POTW prior to the effective date of this Article and who wishes to continue such discharges in the future, shall, within ninety (90) days after said date, apply to the Pretreatment Coordinator for a Wastewater Discharge Permit in accordance with Section 7.74 of this Article and shall not cause or allow discharges to the POTW to continue after 180 days of

the effective date of this Article except in accordance with a Wastewater Discharge Permit issued by the Pretreatment Coordinator.

7.73 Wastewater Discharge Permitting: New Connections

Any user who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this Wastewater Discharge Permit, in accordance with Section 7.74 of this Article must be filed at least ninety (90) days prior to the date upon which any discharge will begin or recommend pending review by the Pretreatment Coordinator.

7.74 Wastewater Discharge Permit Application Contents

- A. Application Requirement. All users required to obtain a Wastewater Discharge Permit or Zero Wastewater Discharge Permit must submit a permit application. Incomplete or inaccurate applications will not be processed and will be returned to the user for revision.
- B. Application Contents. The Pretreatment Coordinator may require all users to submit as part of an application the following information:
 - 1. All information required by Section 7.40 of this Article;
 - 2. Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
 - 3. Number and type of employees, hours of operation, and proposed or actual hours of operation;
 - 4. Each product produced by type, amount, process or processes, and rate of production;
 - 5. Type and amount of raw materials processed (average and maximum per day);
 - 6. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location and elevation, and all points of discharge;
 - 7. Time and duration of discharges; and
 - 8. Any other information as may be deemed necessary by the Pretreatment Coordinator to evaluate the Wastewater Discharge Permit application.

7.75 Application Signatories and Certification

All Wastewater Discharge Permit applications and user reports must be signed by an Authorized Representative of the user and contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations".

7.76 Wastewater Discharge Permit Decisions

The Pretreatment Coordinator will evaluate the data furnished by the user and may require additional information. Within thirty (30) days of receipt of a complete Wastewater Discharge Permit application, the Pretreatment Coordinator will determine whether or not to issue a Wastewater Discharge Permit. The Pretreatment Coordinator has the discretion to deny any Application for a Wastewater Discharge Permit when the application fails to comply with the requirements of this Article II (Sewers) or otherwise is not in the best interests of the public.

Division 8: Wastewater Discharge Permit Issuance Process

7.80 Wastewater Discharge Permit Duration

A Wastewater Discharge Permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. A Wastewater Discharge Permit may be issued for a period less than five (5) years, at the discretion of the Pretreatment Coordinator. Each Wastewater Discharge Permit will indicate a specific date upon which it will expire.

7.81 Wastewater Discharge Permit Contents

A Wastewater Discharge Permit shall include such conditions as are deemed reasonably necessary by the Pretreatment Coordinator to prevent pass through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

- A. Wastewater Discharge Permit must contain:
1. A statement that indicates Wastewater Discharge Permit duration, which in no event shall exceed five (5) years;
 2. A statement that the Wastewater Discharge Permit is nontransferable without prior notification to the City in accordance with Section 7.84 of this Article

and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;

3. Effluent limits based on applicable pretreatment standards;
 4. Self monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law; and
 5. A statement of applicable civil penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.
- B. Wastewater Discharge Permit may contain, but need not be limited to, the following conditions:
1. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
 2. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;
 3. Requirements that allow the use of bypass of the pretreatment system conditions consistent with 40 CFR 403.17 and Section 7.161 of this Article;
 4. Requirements for the development and implementation of Spill Prevention Containment and Countermeasures / Slug Control Plan or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;
 5. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
 6. Development and implementation of Best Management Practices Plans to reduce the amount of pollutants discharged to the POTW;
 7. The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the POTW;
 8. Requirements for installation and maintenance of inspection and sampling facilities and equipment;

9. Requirements for the zero discharge of process waste regulated by a National Categorical Pretreatment standard or local standard;
10. A statement that compliance with the Wastewater Discharge Permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State pretreatment standards, including those which become effective during the term of the Wastewater Discharge Permit; and
11. Other conditions as deemed appropriate by the Pretreatment Coordinator to ensure compliance with this Article and State and Federal laws, rules, and regulations.

7.82 Wastewater Discharge Permit Appeals

The Pretreatment Coordinator shall provide public notice of the issuance of a Wastewater Discharge Permit. Any person, including the user, may petition in writing the Pretreatment Coordinator to reconsider the terms of a Wastewater Discharge Permit within thirty (30) days of notice of its issuance.

- A. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
- B. In its petition, the appealing party must indicate the Wastewater Discharge Permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the wastewater discharge permit.
- C. The effectiveness of the Wastewater Discharge Permit shall not be stayed pending the appeal.
- D. If the Pretreatment Coordinator fails to act within thirty (30) days following the filing of such a petition, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider a Wastewater Discharge Permit, not to issue a Wastewater Discharge Permit, or not to modify a Wastewater Discharge Permit shall be considered as a final administrative decision for purposes of judicial review.
- E. Aggrieved parties seeking judicial review of any final administrative Wastewater Discharge Permit decision must do so by filing a complaint with the 18th Judicial Circuit Court of Illinois and having summons issue within thirty-five (35) days from the date that such decision was served upon the party affected by the decision pursuant to 735 ILCS 5/3-103.

7.83 Wastewater Discharge Permit Modification

The Pretreatment Coordinator may modify a Wastewater Discharge Permit for good cause, including, but not limited to, the following reasons:

- A. To incorporate any new or revised Federal, State or local pretreatment standards or requirements;
- B. To address substantial alterations or additions to the user's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance;
- C. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- D. Information indicating that the permitted discharge poses a threat to the City's POTW, City personnel, or the receiving waters;
- E. Violation of any terms or condition of the wastewater discharge permit;
- F. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
- G. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
- H. To correct typographical or other errors in the wastewater discharge permit; or
- I. To reflect a transfer of either the facility ownership or operation to either a new owner or operator as provided by Section 7.84.

7.84 Wastewater Discharge Permit Transfer

Wastewater Discharge Permit shall not be transferred, assigned, or sold to a new owner or new user in different premises or to a new or different operation in the same or different premises without the expressed written approval of the City. If the premises sold or otherwise transferred by the permittee to a new owner who will maintain the operation in the same premises, whether or not the seller will continue to operate the equipment or the equipment is leased to another entity for its operation at the site of the original permittee, then the permit held by the seller and/or owner shall be reissued by the City to the new owner and/or operator as a temporary permit; provided:

- A. The new owner and/or operator notified the City thirty (30) calendar days in advance of the transaction, and
- B. The new owner and/or operator confirmed to the City, within five (5) business

days of the transaction, of completion of the date of sale or execution of an operating contract, and

- C. The new owner and/or operator shall immediately apply for a new permit in accordance with this Article.

In the event of failure to provide the sale/transfer notification defined in Subsections A and B above, a Wastewater Discharge Permit maybe declared void as of said sale / transfer date upon the City giving notice of the failure and an opportunity to respond. It is further provided that the temporary permit shall only be effective for ninety (90) days after the date of sale or transfer. The City shall have the same remedies for violation of temporary permits as it has for violation of other discharge permits.

7.85 Wastewater Discharge Permit Revocation

The Pretreatment Coordinator may revoke a Wastewater Discharge Permit for good cause, including, but not limited to, the following reasons:

- A. Failure to notify the Pretreatment Coordinator of substantial changes to the wastewater prior to the changed discharge;
- B. Failure to provide prior notification to the Pretreatment Coordinator of changed conditions pursuant to Sections 7.93 and 7.95 of this Article;
- C. Misrepresentation or failure to fully disclose all relevant facts in the Wastewater Discharge Permit application;
- D. Falsifying self-monitoring reports;
- E. Tampering with monitoring equipment;
- F. Refusing to allow the Pretreatment Coordinator timely access to the facility premises and records;
- G. Failure to meet effluent limitations;
- H. Failure to pay fines;
- I. Failure to pay sewer charges;
- J. Failure to meet compliance schedules;
- K. Failure to complete a wastewater survey or the Wastewater Discharge Permit application;

- L. Failure to provide advance notice of the transfer of business or operation ownership of a permitted facility; or
- M. Violation of any pretreatment standard or requirement, or any terms of the Wastewater Discharge Permit or this Article.

Wastewater Discharge Permit shall be voidable upon cessation of operations or transfer of business or operation ownership upon written notice from the City. All Wastewater Discharge Permit issued to a particular user are void upon the issuance of a new Wastewater Discharge Permit to that user.

7.86 Wastewater Discharge Permit Reissuance

A user with an expiring Wastewater Discharge Permit shall apply for Wastewater Discharge Permit reissuance by submitting a complete Wastewater Discharge Permit application, in accordance with Section 7.74 of this Article, within ninety (90) days prior to the expiration of the user's existing Wastewater Discharge Permit.

7.87 Regulation of Waste Received from Other Jurisdictions

- A. If another municipality, or user located within another municipality, contributes wastewater to the POTW, the City shall enter into an intergovernmental agreement with the contributing municipality.
- B. The City shall request the following information from the contributing municipality at a frequency determined by the City:
 - 1. A description of the quality and volume of wastewater discharge to the POTW by the contributing municipality;
 - 2. An inventory of all users located within the contributing municipality that are discharging to the POTW; and
 - 3. Such other information as the Pretreatment Coordinator may deem necessary.
- C. An intergovernmental agreement, as required by Paragraph 1, above, shall contain the following conditions:
 - 1. A requirement for the contributing municipality to adopt a sewer use ordinance which is at least as stringent as this Article II (Sewers) and local limits which are at least as stringent as those set out in Section 7.54 of this Article for the area to be served by the City. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the City's ordinance or local limits.

2. A requirement for the contributing municipality to submit a revised user inventory on at least an annual basis;
3. A provision specifying that pretreatment implementation activities, including Wastewater Discharge Permit issuance, inspection and sampling, and enforcement, will be conducted by the Pretreatment Coordinator;
4. A requirement for the contributing municipality to provide the Pretreatment Coordinator with access to all information that the contributing municipality obtains as part of its pretreatment activities;
5. Limits on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to the POTW;
6. Requirements for monitoring the contributing municipality's discharge;
7. A provision ensuring the Pretreatment Coordinator access to the facilities of users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the Pretreatment Coordinator; and
8. A provision specifying remedies available for breach of the terms of the intergovernmental agreement.

Division 9: Reporting Requirements

Each user of the treatment works and facilities of the City shall provide reports as necessary to comply with this Article and any wastewater discharge permit. Reporting requirements may apply to users that are not required to obtain a Wastewater Discharge Permit.

7.90 Pretreatment Requirements for Non-Categorical Users

Should the City find that a user, not subject to National Categorical Pretreatment Standards, does not meet Pretreatment standards and requirements applicable to its discharge, causes or contributes to a sewage treatment plant upset, or when analysis of waste or observation of the effect of such wastes on the POTW Works indicate that said wastes cannot be treated satisfactorily at such works, or that said wastes are injurious to the POTW works, or to the treatment processes, or pollute the natural waters within the City, its service areas or the Waters of the State of Illinois; additional pretreatment and/or O&M will be required by the City to meet pretreatment standards and requirements. Such facilities as the City may deem necessary for pretreatment of the wastes shall be furnished by and at the expense of the User as a condition of the discharge of said wastes into the POTW works or to any natural water within the City service area.

- A. **Pretreatment Review:** The Pretreatment Coordinator will require the user to initiate a pretreatment review through a telephone call, letter or certified letter to the Authorized Representative of the user.
- B. **Pretreatment Initiation Meeting.** A Pretreatment Initiation Meeting will be held between the Pretreatment Coordinator and the user to discuss the problem and the solution to said problem. If it determined that changes in operation and maintenance, plant modifications, and/or the installation of pretreatment equipment shall occur to resolve noncompliance, a schedule shall be established with events and completion deadlines agreeable to both parties to resolve the noncompliance. A Compliance Agreement defining the agreed upon schedule will be sent from the City to the user shortly after the meeting. If a schedule for compliance acceptable to the Pretreatment Coordinator cannot be established, the matter will be referred for further enforcement action consistent with the provisions of Division 13 of this Article, as appropriate.
- C. **Progress Reports.** Progress Reports will be filed by the user on a schedule agreed to by the Pretreatment Coordinator and the user concerning the completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation); The user shall identify whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule.
- D. **Final Report.** A Final Report will be filed with the Pretreatment Coordinator by the user within 90 days from the end of the schedule deadline to verify the success or failure or the schedule objective chosen by the user.

7.91 Pretreatment Requirements for Categorical Industrial Users

In the event that either the City, EPA or a User determines that the user is regulated as a Categorical Industrial User by standards and requirements promulgated by the USEPA in accordance with Section 307 (b) and (c) of the Act, the following reports are required to be filed by the user with both the City and USEPA in the event that the City does not have an Approved Pretreatment Program status from USEPA:

- A. **Baseline Monitoring Reports**

Within either one hundred eighty (180) days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing

Categorical Industrial Users currently discharging to or scheduled to discharge to the POTW shall submit to the Pretreatment Coordinator a report which contains the information listed below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable categorical standard, shall submit to the Pretreatment Coordinator a report which contains the information listed below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

Users described above shall submit the information set forth below.

1. Identifying Information. The name and address of the facility, including the name of the operator and owner.
2. Environmental Permits. A list of any environmental control permits held by or for the facility.
3. Description of Operations. A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.
4. Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined waste stream formula set out in 40 CFR 403.6(e).
5. Measurements of Pollutants.
 - a. The categorical pretreatment standards applicable to each regulated process.
 - b. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the Pretreatment Coordinator, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported. The sample shall be representative of daily operations and sampling must be performed in accordance with procedures set out in Section 7.57 of this Article and shall be analyzed in accordance with procedures set out in Section 7.58 of this Article.
6. Certification. A statement, reviewed by the user's authorized representative and certified by a qualified professional, indicating whether pretreatment

standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or pretreatment is required to meet the pretreatment standards and requirements.

7. **Compliance Schedule.** If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in Section 7.91 B.1. of this Article.
8. **Signature and Certification.** All baseline monitoring reports must be signed and certified in accordance with Section 7.75 of this Article.

B. Compliance Schedule Progress Reports

The following condition shall apply to the compliance schedule required by Section 7.91 A.7. of this Article:

1. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
2. No increment referred to above shall exceed nine (9) months;
3. The user shall submit a progress report to the Pretreatment Coordinator no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule; and
4. In no event shall more than nine (9) months elapse between such progress reports to the Pretreatment Coordinator.

C. Reports On Compliance With Categorical Pretreatment Standard Deadline

Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any user subject to such pretreatment standards and requirements shall submit to the Pretreatment Coordinator a report containing the information described in Section

7.91 A. of this Article. For users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the user's long-term production rate. For all other users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 7.75 of this Article.

7.92. Periodic Compliance Reports / Self Monitoring Reports

A. Significant Non-Categorical Industrial Users

1. Significant Non-Categorical Industrial Users shall, at a frequency determined by the Pretreatment Coordinator but in no case less than twice per year (on dates specified by the City) submit a report with a description of the nature, concentration, and flow of the pollutants required to be reported by the City. These reports shall be based on sampling and analysis performed in the period covered by the report, and performed in accordance with the techniques described in 40 CFR part 136 and amendments thereto. This sampling and analysis may be performed by the City in lieu of Significant Non-Categorical Industrial User. In such cases, the City will issue an Attachment to the Wastewater Discharge Permit that specifies the SIU has determined the City will perform sampling and analysis semi-annually. Where the City itself collects all the information required for the report, the Significant Non-Categorical Industrial User will not be required to submit the report.

B. Categorical Industrial Users

1. All Categorical Industrial Users shall, at a frequency determined by the Pretreatment Coordinator but in no case less than twice per year (in July and January), submit a report indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. At the discretion of the City and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the City may agree to alter the months during which the above reports are to be submitted. All periodic compliance reports must be signed and certified in accordance with Section 7.75 of this Article.
2. All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not

be grounds for the user to claim that sample results are unrepresentative of its discharge.

3. If a user subject to the reporting requirement in this section monitors any pollutant more frequently than required by the Pretreatment Coordinator, using the procedures prescribed in Sections 7.57 and 7.58 of this Article, the results of this monitoring shall be included in the report.
4. Where the City has imposed mass limitations on users as provided for by 40 CFR 403.6(d), the report required by Paragraph B.1. of this Section shall indicate the mass of pollutants regulated by the Pretreatment Standards in the Discharge from the Industrial User.
5. For users subject to equivalent mass or concentration limits established by the City in accordance with the procedures in 40 CFR 403.6(c), the report required by Paragraph B.1. shall contain a reasonable measure of the user's long term production rate. For all other users subject to Categorical Pretreatment Standards expressed only in terms of allowable pollutant discharge per unit of production (or other measure of operation), the report required by Paragraph B.1. shall include the user's actual average production rate for the reporting period.

7.93 Authorized Representative Change Notification

Any Significant Industrial User which changes the Authorized Representative of its company as defined in Article I (Definitions) of this Chapter shall file a change notice with the City within 30 calendar days of such change.

7.94 Reports from Non-permitted Users

All users not required to obtain a Wastewater Discharge Permit shall provide appropriate reports to the Pretreatment Coordinator as required.

7.95 Reports of Changed Conditions

Each user must notify the Pretreatment Coordinator of any planned substantial changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater at least thirty (30) calendar days before the change that results of an increase or addition. Shutdowns or deletions of products are required to be noticed within five (5) working days of determination.

- A. The Pretreatment Coordinator may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a Wastewater Discharge Permit application under Section 7.74 of this Article.

- B. The Pretreatment Coordinator may issue a Wastewater Discharge Permit under Section 7.76 of this Article or modify an existing Wastewater Discharge Permit under Section 7.83 of this Article in response to changed conditions or anticipated changed conditions.
- C. For purposes of this requirement, substantial changes include, but are not limited to, flow increases of twenty percent (20 percent) or greater, the addition or deletion of a shift, the discharge of any previously unreported pollutants, the addition of a new process regardless of waste discharge or lack of discharge, shutdown of a process, or addition or deletion of a product.

7.96 Reports of Potential Problems

- A. Initial Accidental Discharge Notification. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug load, that may cause potential problems for the POTW, any user shall immediately telephone and notify the Pretreatment Coordinator of the incident. This notification shall include the location of the discharge, physical state of discharge, chemical composition, concentration and volume, if known, and date and time of discharge as well as duration of the discharge, and corrective actions taken by the user. The notification shall include what Federal, State and local entities have also been notified by the user.
- B. Written Accidental Discharge Notification: Within five (5) days following such discharge, the user shall, unless waived by the Pretreatment Coordinator, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences.
- C. Such notifications shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW Works, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this Article.
- D. A Notice/Sign shall be permanently posted on the user's employee bulletin board or other prominent place advising employees whom to call in the event of a discharge described in Paragraph A, above. Employers shall ensure that all employees, who may cause such a discharge to occur, are advised of the emergency notification procedure.

7.97 Notice of Violation/Repeat Sampling and Reporting

If sampling performed by a user indicates a violation, the user must notify the

Pretreatment Coordinator within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Pretreatment Coordinator within thirty (30) calendar days after becoming aware of the violation. The user is not required to resample if the Pretreatment Coordinator monitors at the user's facility at least once a month, or if the Pretreatment Coordinator samples between the user's initial sampling and when the user receives the results of this sampling.

7.98 Notification of the Discharge of Hazardous Waste

- A. Pursuant to 40 CFR 40 3.12 (P) any user who commences the discharge of hazardous waste shall notify the POTW, the USEPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the user discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this Paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 7.95 of this Article. The notification requirement in this section does not apply to pollutants already reported by Users subject to categorical pretreatment standards under the self-monitoring requirements of Sections 7.91 A., 7.91 C., and 7.92 of this Article.
- B. Dischargers are exempt from the requirements of Paragraph A, above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the user discharges more than such quantities of any hazardous waste do not require additional notification.
1. In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must notify the Pretreatment Coordinator, the USEPA Regional Waste Management Waste Division

Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.

2. In the case of any notification made under this section, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
3. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this Article, a permit issued thereunder, or any applicable Federal or State law.

7.99 Report Submittal Due Dates

Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern. In order to meet deadlines, reports may be faxed on the due date to the City. The original of the Fax is required to be mailed to the City postmarked within one (1) working day of the Fax.

Division 10: Compliance Monitoring

7.100 Right of Entry: Inspection and Sampling

Because of the significant public health, safety and welfare concerns involved, the Pretreatment Coordinator and his designee(s), Duly Authorized Agents of the City, the Illinois Environmental Protection Agency, and the United States Environmental Protection Agency, hereafter referred to as above named entities, shall have the right to enter the premises of any user to determine whether the user is complying with all requirements of this Article and any wastewater discharge permit or order issued hereunder. Users shall allow the above named entities ready access to all parts of the premises for the purposes of inspection, observation, measurement, sampling, analyses, records examination and copying, and the performance of any additional duties.

- A. Where a user has security measures in force which require proper identification and clearance before entry into its premises, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the above named entities will be permitted to enter without delay for the purposes of performing specific responsibilities.
- B. The City shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations.
- C. The Pretreatment Coordinator may require the user to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall

be maintained at all times in a safe and proper operating condition by the user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated twice yearly (at six month intervals) to ensure their accuracy. The user shall submit these calibration reports semi-annually to the City with the Periodic Compliance Reports required in Section 7.92 of this Article.

- D. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the Pretreatment Coordinator and shall not be replaced. The costs of clearing such access shall be borne by the user.
- E. Unreasonable delays in allowing the Pretreatment Coordinator and his designee access to the user's premises shall be a violation of this Article.

7.101 Record Keeping

Users subject to the reporting requirements of this Article shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Article and any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the user or the City, or where the user has been specifically notified of a longer retention period by the Pretreatment Coordinator.

7.102 Search Warrants

If the Pretreatment Coordinator has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this Article, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this Article or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the Pretreatment Coordinator may seek issuance of a search warrant from the 18th Judicial Circuit Court of Illinois as appropriate.

Division 11: Confidential Information

7.110 Confidential Information

Information and data on a user obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and the Pretreatment Coordinator inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the

satisfaction of the Pretreatment Coordinator and City Attorney, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the user furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR will not be recognized as confidential information and will be available to the public without restriction.

Division 12: Publication of Users in Significant Noncompliance

7.120 Publication of Users in Significant Noncompliance

The Pretreatment Coordinator may publish annually, in any daily newspaper circulated within the municipality where the POTW is located, a list of the users which, during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements. The term significant noncompliance shall mean:

- A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66 percent) or more of wastewater measurements taken during a six-(6) month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount;
- B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33 percent) or more of wastewater measurements taken for each pollutant parameter during a six-(6) month period equals or exceeds the product of the daily maximum limit or the average limit multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- C. Any other discharge violation that the Pretreatment Coordinator believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public;
- D. Any discharge of pollutants that have caused imminent endangerment to the public or to the environment, or have resulted in the Pretreatment Coordinator exercise of its emergency authority to halt or prevent such a discharge;
- E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final

compliance;

- F. Failure to provide within thirty (30) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- G. Failure to accurately report noncompliance; or
- H. Any other violation(s) which the Pretreatment Coordinator determines will adversely affect the operation or implementation of the local pretreatment program.

Division 13: Administration Enforcement Remedies

7.130 Notification of Violation

When the Pretreatment Coordinator finds that a user has violated, or continues to violate, any provision of this Article, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Pretreatment Coordinator may serve upon that user a written Notice of Violation. Within ten (10) working days of the receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the Pretreatment Coordinator. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the Pretreatment Coordinator to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

7.131 Compliance Agreements

The Pretreatment Coordinator may enter into Compliance Agreements, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Such documents will include specific action to be taken by the user to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 7.133 and 7.134 of the this Article and shall be judicially enforceable.

7.132 Show Cause Order

The Pretreatment Coordinator may order a user which has violated, or continues to violate, any provision of this Article, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, to appear before the representatives of the City and show cause why the proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) working days prior to

the hearing. Such notice may be served on any Authorized Representative of the user. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the user.

7.133 Compliance Orders

When the Pretreatment Coordinator finds that a user has violated, or continues to violate, any provision of this Article, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Pretreatment Coordinator may issue an order to the user responsible for the discharge directing that the user come into compliance within a specified time. If the user does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does a compliance order relieve the user of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the user.

7.134 Cease and Desist Orders

When the Pretreatment Coordinator finds that a user has violated, or continues to violate, any provision of this Article, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, or that the user's past violations are likely to recur, the Pretreatment Coordinator may issue a written order to the user directing it to cease and desist all such violations as specified and directing the user to:

- A. Immediately comply with all requirements; and
- B. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the user.

7.135 Emergency Suspensions

The Pretreatment Coordinator may immediately suspend a user's discharge, after informal notice to the user, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The Pretreatment Coordinator may also immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with the

operation of the POTW, or which presents, or may present, an endangerment to the environment.

- A. Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the Pretreatment Coordinator may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Pretreatment Coordinator may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the Pretreatment Coordinator that the period of endangerment has passed, unless the termination proceedings in Section 7.136 of this Article are initiated against the user.
- B. A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Pretreatment Coordinator prior to the date of any show cause or termination hearing under Sections 7.132 or 7.136 of this Article.

Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

7.136 Termination of Discharge

In addition to the provisions in Section 7.135 of this Article, any user who violates the following conditions is subject to discharge termination:

- A. Violation of wastewater discharge permit conditions;
- B. Failure to accurately report the wastewater constituents and characteristics of its discharge;
- C. Failure to report substantial changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- D. Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring, or sampling; or
- E. Violation of the pretreatment standards in Division 5 of this Article.

Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 7.132 of this Article why the proposed action should not be taken. Exercise of this option by the Pretreatment Coordinator shall not be a bar to, or a prerequisite for, taking any other action against the user.

Division 14: Penalties and Judicial Enforcement Remedies

7.140 Failure to Report or Notify

- A. Reports or Notifications required by non-Significant Industrial Users
Any non-Significant Industrial User who fails to file any report of notification so required by this Article may be subject to the following late filing fees:
- | | | | |
|----|---|------------------------------|----------|
| 1. | First Offense | Issuance of Warning Citation | |
| 2. | Recurring reporting violations | | \$100.00 |
| | NOV response noncompliance | | \$250.00 |
| | Cost per additional day past final request deadline | | \$50.00 |
| 3. | Substantial changes | | |
| | No written notification of substantial changes whether discharged or not: | | |
| | At start-up or shutdown | | \$500.00 |
| | Per each additional 15 days in excess of 30 calendar days | | \$100.00 |
- B. Reports or Notifications required by Significant Industrial Users
Any Significant Industrial User who fails to file any report of notification so required by this Article may be subject to the following late filing fees:
- | | | | |
|----|---|------------------------------|------------|
| 1. | First Offense | Issuance of Warning Citation | |
| 2. | Recurring reporting violations | | \$250.00 |
| | NOV response noncompliance | | \$500.00 |
| | Cost per additional day past final request deadline | | \$100.00 |
| 3. | Substantial changes | | |
| | No written notification of substantial changes whether discharged or not: | | |
| | At start-up or shutdown | | \$1,000.00 |
| | Per each additional 15 days in excess of 30 calendar days | | \$200.00 |
- C. Notification Specific to Industrial Users With Wastewater Discharge Permits
- | | | | |
|----|--|--|------------|
| 1. | No written notification of change in ownership and/or operation of facility, or any portion thereof. | | \$1,000.00 |
|----|--|--|------------|

7.141 Recovery of Costs Incurred

Any person violating any of the provisions of this Article, or who causes damage to or impairs the City's wastewater works shall be liable to the City for any expense, loss or damage caused by such violation or discharge. The City shall bill the entity for the costs incurred by the City for any cleaning, repair, replacement or other investigative and/or corrective actions as a

response to the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Article enforceable under the provisions of Divisions 13 and 14 of this Article.

7.142 Injunctive Relief

When the Pretreatment Coordinator finds that a user has violated, or continues to violate, any provision of this Article, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the Pretreatment Coordinator may petition the 18th Judicial Circuit Court of Illinois as applicable through the City Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this Article on activities of the user. The Pretreatment Coordinator may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user.

7.143 Civil Penalties

- A. A user who has violated, or continues to violate, any provision of this Article, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to the City for a fine of not less than one hundred dollars (\$100.00) and of not more than one thousand dollars (\$1000.00) per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.
- B. The Pretreatment Coordinator may recover costs, including but not limited to, filing fees, witness fees, attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.
- C. In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.
- D. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a user.

7.144 Remedies Nonexclusive

The remedies provided for in this Article are not exclusive. The Pretreatment Coordinator may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the City's enforcement response plan. However, the Pretreatment Coordinator may take other action against any user when the

circumstances warrant. Further, the Pretreatment Coordinator is empowered to take more than one enforcement action against any noncompliant user.

Division 15: Supplemental Enforcement Action

7.150 Performance Bonds

The Pretreatment Coordinator may decline to issue or reissue a wastewater discharge permit to any user who has failed to comply with any provision of this Article, a previous wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, unless such user first files a satisfactory bond, payable to the City, in a sum not to exceed a value determined by the Pretreatment Coordinator to be necessary to achieve consistent compliance.

7.151 Liability Insurance

The Pretreatment Coordinator may decline to issue or reissue a wastewater discharge permit to any user who has failed to comply with any provision of this Article, a previous wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, unless the user first submits proof that they have obtained financial assurances sufficient to restore or repair damage to the POTW caused by its discharge.

7.152 Water Supply Severance

Whenever a user has violated or continues to violate any provision of this Article, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, water service to the user may be severed upon written notice by the City to the user. Service will only recommence, at the user's expense, after it has satisfactorily demonstrated its ability to comply. The user shall pay the entire expense incurred by the City for the shut off and restarting of service before the water will be turned on again.

7.153 Public Nuisances

A violation of any provision of this Article, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement is hereby declared a public nuisance and shall be corrected or abated as directed by the Pretreatment Coordinator. Any person(s) creating a public nuisance shall be subject to the provisions governing such nuisances, including reimbursing the City for any costs incurred in removing, abating, or remedying said nuisance.

7.154 Contractor Listing

Users which have not achieved compliance with applicable pretreatment standards and requirements are hereby declared to be non-responsible Users and therefore are not eligible to receive a contractual award for the sale of goods or services to the City. Existing contracts for the sale of goods or services to the City held by a user found to be in significant noncompliance with pretreatment standards or requirements may be terminated at the discretion of the Pretreatment Coordinator.

Division 16: Affirmative Defenses to Discharge Violations

7.160 Upset

- A. For the purposes of this section, "upset" means an exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- B. An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical pretreatment standards if the requirements of Paragraph (C), below, are met.
- C. A user who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - 1. An upset occurred and the user can identify the cause(s) of the upset;
 - 2. The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
 - 3. The user has submitted the following information to the Pretreatment Coordinator within twenty-four (24) hours of becoming aware of the upset (if this information is provided orally, a written report must be provided within five (5) days):
 - a. A description of the indirect discharge and cause of noncompliance;
 - b. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
 - c. Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- D. In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof by a preponderance of the evidence.
- E. Users will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical pretreatment standards.

- F. Users shall control production of all discharges to the extent necessary to maintain compliance with categorical pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

7.161 Prohibited Discharge Standards

A user shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in Section 7.51 A and B or the specific prohibitions in Section 7.51 C1-26 (excluding Paragraphs C2, C10 and C17) of this Article if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause pass through or interference or that either:

- A. A local limit exists for each pollutant discharged and the user was in compliance with each limit directly prior to, and during, the pass through or interference; or
- B. No local limit exists, but the discharge did not change substantially in nature or constituents from the user's prior discharge when the City was regularly in compliance with its NPDES permit, and in the case of interference, was in compliance with applicable sludge use or disposal requirements.

7.162 Bypass

- A. For the purposes of this section,
 - 1. "Bypass" means the intentional diversion of waste streams from any portion of a user's treatment facility.
 - 2. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- B. A user may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of Subsections C and D of this Section.
- C. Bypass Notifications

1. **Anticipated:** If a user knows in advance of the need for a bypass, it shall submit prior notice to the Pretreatment Coordinator, at least ten (10) working days before the date of the bypass, if possible.
2. **Unanticipated:** A user shall submit oral notice to the Pretreatment Coordinator of an unanticipated bypass that exceeds applicable pretreatment standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) working days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Pretreatment Coordinator may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

D. POTW Actions

1. Bypass is prohibited, and the Pretreatment Coordinator may take an enforcement action against a user for a bypass, unless:
 - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - c. The user submitted notices as required under Paragraph (C) of this Section.
2. The Pretreatment Coordinator may approve an anticipated bypass, after considering its adverse effects, if the Pretreatment Coordinator determines that it will meet the three conditions listed in Paragraph (D)(1) of this Section.

Division 17: Miscellaneous Provisions

7.170 Pretreatment Charges and Fees

The City may adopt reasonable fees for reimbursement of costs of setting up and operating the City's Pretreatment Program which may include:

- A. Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a user's discharge, and reviewing monitoring reports submitted by users;
- B. Fees for reviewing and responding to accidental discharge procedures and construction;
- C. Fees for filing appeals; and
- D. Other fees as the City may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this Article II (Sewers) and are separate from all other fees, fines, and penalties chargeable by the City.

7.171 Severability

If any provision of this Article is invalidated by any court of competent jurisdiction, the remaining provisions shall not be effected and shall continue in full force and effect.

7.172 Conflict

All other ordinances and parts of other ordinances inconsistent or conflicting with any part of this Article are hereby repealed to the extent of such inconsistency or conflict.

7.173 Offenses Under Previous Ordinances

This Article shall not be construed or held to repeal a former Ordinance, whether such former Ordinance is expressly repealed or not, as to any offense committed against such former Ordinance or as to any act done, any penalty, forfeiture or punishment so incurred, or any right accrued or claim arising under the former Ordinance, or in any way whatever to affect such offense or act so committed or so done, or any penalty, forfeiture or punishment so incurred or any right accrued or claim arising before this new Article takes effect, save only that proceedings thereafter shall conform to the Ordinance in force at the time of such proceeding, so far as practicable. Nothing contained in this Article shall be construed as abating any action now pending.

Article III. Water

7.180 Water service pipes.

A. No person other than an authorized representative of the City shall make any connection to any water main of the City. The service pipe shall be a minimum of one inch in diameter. The fee for the one inch connection shall be one hundred fifty dollars (\$150.00); for connections in excess of one inch the fee shall be two hundred fifty dollars (\$250.00). Such fees shall not apply to park districts provided that a park district shall pay to the city a sum equal to the expense incurred by the city for performing the work required by this section. Such sum shall

be based upon the salary or wages of the city personnel who perform such work. (3/6/89)

B. A separate stop or waste cock shall be placed on the service pipe just inside the building wall on the influent side of the water meter. Such stops shall be equal in quality to the service cock.

C. The service pipe from the service cock to the building and the stop and waste cock shall be of copper and shall be installed and properly maintained by the owner. The owner shall keep the stop box free from dirt, stones or other substances that will prevent access to the service cock.

7.181 Interference with service pipes.

No licensed plumber or other person shall interfere in any way with service pipes installed by the Public Works Department and shall not turn water on or off at the service cock, except for the purpose of testing his work, in which case the service cock shall be left in the same condition and position as he found it. Any plumber called upon to shut off water and drain pipes in any premises shall do so inside the building only.

7.182 Water meters.

A. Location. A proper connection shall be provided upon each property supplied with water in an accessible location at least three feet above the floor and in a manner satisfactory to the Utility Superintendent or authorized representative. Every water customer shall have a water meter, approved by the Superintendent, attached to his water supply pipes at his own expense. On premises where there is no basement or cellar, the meter shall be installed in the utility room or outside in a meter pit, the location of which shall be approved by the Superintendent. Where it is necessary to set the meter in a pit, such pit shall be built at the expense of the owners as directed by and to the satisfaction of the Superintendent.

B. New Meters. All new water meters shall be provided with remote registers. The remote registers shall be located on the outside of the building approved by the Utility Superintendent.

C. Interfering with Meters. No person, except an authorized employee of the City, shall break or injure any water meter seal or change the location of, alter or interfere in any way with any meter.

D. Protection. The owner or occupant of the premises where a meter is installed shall be held responsible for its care and protection from freezing and from injury or interference by any person. In case of injury or damage to the meter, or in case of its stoppage or imperfect

operation, the owner or occupant of the premises shall give immediate notice to the Utility Superintendent.

E. **Bypassing Meter.** All water furnished by the city and used on any premises must pass through the meter, and the owner or occupant shall not permit any bypass or connection around the meter to be constructed or maintained.

F. **Out of Order--Charge.** If any meter becomes out of order or fails to register, the consumer will be charged at the average bimonthly consumption rate as shown by the meter for the billing period immediately preceding and the billing period for the same period in the previous year when the meter was accurately registering.

G. **Testing Meters.** The accuracy of the meter on any premises will be tested by the Public Works Department upon written request of the owner, who shall pay, in advance, a fee of twenty-five dollars (\$25.00) to cover the cost of the test. If, on such test the meter shall be found to register more than five percent more water than actually passes through it, another meter will be substituted therefore, and the fee will be refunded, and the water bill may be adjusted as may be fair and just. (Ord. 21-2003 § 5)

7.183 Use of water.

A. No person shall take or use city water from premises other than his own, and no person shall sell water from his own premises for any purpose. No connection for the furnishing of water to any premises shall hereafter be made to the service line for the furnishing of water to any other premises, even though the ownership of both properties may be the same.

B. Between May 15 and September 15 of each year or at other times when the City Manager determines that a water shortage exists in the city water supply, the filling of swimming pools and the mechanical sprinkling of lawns and gardens during such water shortage period shall be permitted only as follows:

1. On properties having even numbered addresses: from 8:00 p.m. on Mondays to 8:00 a.m. on Tuesdays; from 8:00 p.m. on Wednesdays to 8:00 a.m. on Thursdays; from 8:00 p.m. on Fridays to 8:00 a.m. on Saturdays.

2. On properties having odd-numbered addresses: from 8:00 p.m. on Tuesdays to 8:00 a.m. on Wednesdays; from 8:00 p.m. on Thursdays to 8:00 a.m. on Fridays; from 8:00 p.m. on Saturdays to 8:00 a.m. on Sundays.

3. No filling of swimming pools nor the mechanical sprinkling of lawns and gardens shall be permitted between the hours of 8:00 a.m. and 8:00 p.m., Mondays through Saturdays nor

between the hours of 8:00 a.m. on Sundays to 8:00 p.m. on Mondays. (9/17/90)

C. During any period in which an extreme shortage exists in the water supply of the City of Elmhurst, as determined by the City Manager, no water from the city mains shall be used for any purpose outside a residence, business or other building other than for the extinguishment of fires or other emergencies. (9/10/88)

D. Violation--Penalty. Any person who violates subsection B. or C. of Section 7.183 shall be penalized as follows:

First offense: Issuance of warning citation;

Second offense: (during the same water shortage period): Fine of one hundred dollars (\$100.00);

Third offense (during the same water shortage period): Fine of two hundred dollars (\$200.00).

7.184 Turning water on or off.

Where the water for any reason has been turned off by the city, no person, except authorized representatives of the City, may turn it on again. Whenever this rule is violated, the City may shut off the water at the corporation cock at the main and the owner shall pay the entire expense incurred by the City for doing this work before the water may be turned on again.

7.185 Steam boilers.

No steam boiler shall be directly connected to the service pipe. Before water may be supplied to such installation, the owner shall make such provisions as are required by the Utility Superintendent.

7.186 Access to premises.

A. The Utility Superintendent, or any of his authorized agents, shall have free access at all reasonable hours, to inspect any premises supplied with water and the fact that the owner or occupant of such premises accepts and uses water supplied by the city shall constitute consent to the making of such inspection. No person shall refuse to admit authorized representatives of the city to any premises for such purpose. In case any authorized representative is refused admittance, or is in any way hindered in making the necessary inspection or examination, the water may be turned off from such premises after giving twenty-four (24) hours written notice served either personally or by first class mail, upon the owner or occupant thereof.

B. To assure an accurate record of metered water consumption, visual observation of each customer's installed water meter by an authorized representative of the city shall be

required at least once each year. After two successive estimated bimonthly water meter readings resulting from non-access, written notice served either personally or by first class mail, upon the owner or occupant thereof shall be sufficient notice to require the owner or occupant to make appropriate arrangements to enable an authorized representative access to the premises to obtain an actual reading of the installed water meter. Failure to comply with the written request for access to the installed water meter within ten (10) days shall result in a non-refundable administrative service charge of fifty dollars (\$50) for each failure to comply and, after proper notice, termination of water service to the premises. (Ord. 21-2003 § 6)

7.187 Fire protection service.

- A. Any connection to the City water supply system for the purpose of providing fire protection shall be metered through a detector check valve. The meter and check valve assembly and the location of same shall be approved by the Director of Public Works.
- B. The portion of the water supply system that is supplied through the detector check and meter assembly shall be used for fire protection service only.

7.188 Fire hydrants.

Fire hydrants may be opened and used only by the City or by such persons as may be specifically authorized by the City. No person shall, in any manner, obstruct or prevent free access to any fire hydrant, whether publicly or privately owned, by placing or storing temporarily or otherwise any object or materials of any kind within twenty (20) feet of the same. Privately owned fire hydrants shall be maintained in good repair by the owner thereof.

7.189 Air conditioning.

- A. Compliance with Regulations. It shall be unlawful for any person to have installed or to operate air conditioning equipment without complying with the regulations set out in this Section.
- B. Installation Permit. All water customers who desire to install air conditioning and refrigeration equipment shall make written application therefore and obtain approval and a permit therefore in advance from the Superintendent of Building Construction and shall give notice of completion of the installation.

The fee to be paid for a permit for an air conditioning installation shall be ten dollars (\$10.00) plus the applicable building permit fee.

- C. Water Conservation. All air conditioning units shall be equipped with water conservation devices so that water from the city mains shall be used for make-up and flushing

purposes only. Any air conditioning system is prohibited from using water from the mains in excess of two-tenths of a gallon per minute per ton. Each air conditioning system shall be submetered using a water meter acceptable to the City. (5/20/88)

D. Right of Entry. The Utility Superintendent and persons designated by him shall at all reasonable hours have free access to premises supplied with water for air conditioning purposes, to examine the equipment and to ascertain if there is more water being used than allowed by this Section.

E. Appeals. Whenever the Superintendent of Building Construction or his authorized representative rejects or refuses to approve any plan or specification for, or the mode or manner of construction proposed to be used in the installation of any air conditioning equipment, or when it is claimed that the provisions of this section do not apply or when it is claimed that the true intent and meaning of this section has been misconstrued or improperly interpreted, the owner or any person aggrieved may appeal to the appropriate committee of the City Council. No public advertising shall be required as a condition precedent to such appeal. The decision of the committee shall be final.

F. Discontinuance of Water Supply. At locations of repeated or continued violations, the Utility Superintendent of Water shall have the authority to discontinue the supply of water.

7.190 Commercial car wash establishments.

A. It shall be unlawful for any person to have installed or to operate in the City commercial car wash equipment designed to use more than one thousand (1,000) gallons of water per hour, which fails to provide for the reclamation and recirculation of the water used by the commercial car wash equipment. Such equipment shall be so designed and operated that not more than thirty (30) percent of the water withdrawn thereby from the City water main shall be wasted through the sewer drains or otherwise.

B. Commercial car wash units subject to the provisions of this section shall use only biodegradable low phosphate detergents.

C. Commercial car wash equipment units installed prior to January 1, 1968 shall be converted, modified or adjusted to comply with the provisions of subsection A. herein on or before January 1, 1970.

D. A water customer who desires to install commercial car wash equipment after January 1, 1968 shall make written application therefore and obtain approval and a permit therefore in advance from the Superintendent of Building Construction and shall give notice of completion of the installation. A customer who has installed commercial car wash equipment prior to January 1, 1968 shall, in lieu of a permit, notify the Department of Buildings of such

existing installation.

E. The fee to be paid for a permit for making a commercial wash installation shall be ten dollars (\$10.00).

F. The Director of Public Works or a person designated by him shall at all reasonable hours have free access to premises supplied with water for commercial car wash purposes, to examine the equipment and to ascertain if there is more water being used than allowed by this Section.

G. Whenever the Superintendent of Building Construction or his authorized representative rejects or refuses to approve any plan or specification for, or the mode or manner of construction proposed to be used in the installation of any commercial car wash equipment, or when it is claimed that the provisions of this Section do not apply, or when it is claimed that the true intent and meaning of this Section has been misconstrued or improperly interpreted, the owner or any person aggrieved may appeal to the City Council. No public advertising shall be required as a condition precedent to such appeal. The decision of the City Council shall be final.

H. At locations of repeated or continued violations, the Director of Public Works shall have the authority to discontinue the supply of water.

7.191 Recovery of Costs Incurred

Any person violating any of the provisions of this Article, or who causes damage to or impairs the City's water works shall be liable to the City for any expense, loss or damage caused by such violation. The City shall bill the entity for the costs incurred by the City for any cleaning, repair, replacement or other investigative and/or corrective actions as a response to the violation. Refusal to pay the assessed costs shall constitute a violation of this Article enforceable under the provisions of this Article.

7.192 Injunctive Relief

When the City finds that a user has violated, or continues to violate, any provision of this Article, or order issued hereunder, the City may petition the 18th Judicial Circuit Court of Illinois as applicable through the City Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the order, or other requirement imposed by this Article on activities of the user. The City may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user.

7.193 Civil Penalties

A. A user who has violated, or continues to violate, any provision of this Article, or order issued hereunder, or requirement, shall be liable to the City for a fine of not less than one hundred dollars (\$100.00) and of not more than one

thousand dollars (\$1000.00) per violation, per day.

- B. The City may recover costs, including but not limited to, filing fees, witness fees, attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.
- C. In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.
- D. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a user.

7.194 Remedies Nonexclusive

The remedies provided for in this Article are not exclusive. The City may take any, all, or any combination of these actions against a noncompliant user. Further, the City is empowered to take more than one enforcement action against any noncompliant user.

7.195 Water Supply Severance

Whenever a user has violated or continues to violate any provision of this Article, or order issued hereunder, or any other pretreatment standard or requirement, water service to the user may be severed upon written notice by the City to the user. Service will only recommence, at the user's expense, after it has satisfactorily demonstrated its ability to comply. The user shall pay the entire expense incurred by the City for the shut off and restarting of service before the water will be turned on again.

Article IV. Rates and Charges

7.200 Water Service Charges.

- A. **Rate.** The following are the rates per cubic meter and minimum charges for water service, except as modified in other portions of this Article:

Water Rates:	<u>Class 1 Use</u>	<u>Class 2 Use</u>
Quantity Charge (Per cubic meter)	\$1.06	\$1.59

Bimonthly

Minimum Charge (3 cubic meters or less)	\$3.18	\$4.77
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Quantities expressed in this section may be expressed by equivalent quantities on the basis that one (1) cubic meter equals 264.2 gallons.

7.201 Wastewater/Sewer Service Charges.

A. Rate. The following are the rates per cubic meter and minimum charges for wastewater/sewer service, except as modified in other portions of this Article.

Wastewater/Sewer Rates:	<u>Class 1 Use</u>	<u>Class 2 Use</u>
Quantity Charge (Per cubic meter)	\$0.98	\$0.98
Bimonthly Minimum Charge (3 cubic meters or less)	\$2.84	\$2.84

Quantities expressed in this section may be expressed by equivalent quantities on the basis that one (1) cubic meter equals 264.2 gallons.

7.202 Basis for wastewater service charges.

A. The wastewater service charge for the use of, and for service supplied by the wastewater facilities of the City shall consist of a basic user charge for operation and maintenance plus replacement, applicable surcharges and local capital cost charge composed of a debt service charge and a capital improvement charge.

1. The debt service charge is computed by dividing the annual debt service of all outstanding debt by the usage. Usage shall be determined as provided under Section 7.203A. Through further divisions, the monthly and/or bimonthly debt service charges may be computed.
2. The capital improvement charge is levied on all users to provide for capital improvements, extensions or reconstruction of the sewage treatment works. The capital improvement is computed by apportioning the annual amount to be accrued as a cost per one thousand (1,000) gallons or as a fixed charge per month.

B. The basic user charge shall be based on water usage as recorded by water meters and/or sewage meters for wastes having the following normal domestic concentrations:

1. A five day, 20 degree centigrade (20°C) biochemical oxygen demand (BOD of 300 mg/l).

2. A suspended solid (SS) content of two hundred fifty (250) mg/l.
3. Ammonia-nitrogen (N) content of thirty (30) mg/l.

C. The basic user charge shall consist of operation and maintenance costs plus replacement and shall be computed as follows:

1. Estimate wastewater volume, pounds of SS, BOD and pounds of ammonia-nitrogen (N) to be treated.
2. Estimate projected annual revenue required to operate and maintain the wastewater facilities including a replacement fund for the year for all works categories.
3. Proportion the estimated operation, maintenance and replacement costs to each user class by volume, suspended solids BOD, and ammonia-nitrogen.
4. Proportion the estimated operation, maintenance and replacement costs to wastewater facility categories by volume, suspended solids, BOD and NH4-N.
5. Compute costs per one thousand (1000) gallons for normal sewage strength.
6. Compute surcharge costs per pound per one thousand (1000) gallons in excess of normal sewage strength for BODSS, NH4-N.

D. A surcharge will be levied to all users whose waters exceed the normal domestic concentrations of BOD (300 mg/l) and SS (250 mg/l) and NH4-N (30 mg/l). The surcharge will be based on water usage as recorded by water meters and/or sewage meters for all wastes which exceed the three hundred (300) mg/l and two hundred fifty (250) mg/l and thirty (30) mg/l concentration for BOD, SS and NH4-N respectively. Section 7.206 specifies the procedure to compute a surcharge.

The adequacy of the wastewater service charge shall be reviewed, not less often than annually, by Certified Public Accountants for the City in their annual audit report. The wastewater service charge shall be revised periodically to reflect a change in local capital costs or a change in operation and maintenance costs including replacement costs.

The users of wastewater treatment services will be notified annually, in conjunction with a regular bill, of the rate and that portion of the user charges which are attributable to the wastewater treatment operation, maintenance and replacement. (Ord. 21-2003 § 7 (part))

7.203 Measure of flow.

A. The volume of flow used for computing basic user charges and surcharges shall be the metered water consumption read to the nearest cubic meter. Quantities expressed in this

Section may be expressed by equivalent quantities on the basis that one cubic meter equals 264.2 gallons.

B. If the person discharging wastes into the public sewers procures any part, or all, of his 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 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.

C. 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.

D. Metering devices for determining the volume of waste shall be installed, owned, and maintained by the person discharging wastes into the public sewers. Following approval and installation, such meters may not be removed, unless service is cancelled, without the consent of the Director of Public Works. (Ord. 21-2003 § 7 (part))

7.204 Local capital cost charge; debt service charge.

A capital improvement charge will be levied on all users as a fixed charge of \$0 per month, to provide funds for extension, improvement or reconstruction of the sewage treatment works. (Ord. 21-2003 § 7 (part))

7.205 Minimum charge.

A. There shall be and is hereby established a minimum charge for the cost of providing billing services and not more than three (3) cubic meters of wastewater bimonthly. A minimum charge of \$3.18 for Class 1 Users and \$4.77 for Class 2 Users for water and \$2.84 for Class 1 Users and \$2.84 for Class 2 Users for wastewater/sewer shall be applied to all users whose water service does not exceed three (3) cubic meters (792.6 gallons) bimonthly.

B. All non-metered residential users of the wastewater facilities shall pay the rate as set forth in Section 29.10(a) (Wastewater Service Charges) of the Elmhurst Municipal Code, provided however that in the event the use of the wastewater facilities is determined by the Director of Public Works to be in excess of seventy-six (76) cubic meters bimonthly, the Director may require such user to install metering devices on the water supply or sewer main to measure the amount of service supplied. Wastewater usage in excess of seventy-six (76) cubic meters bimonthly shall be charged in accordance with Section 7.201. (4/17/89; Ord. 21-2003 § 11; Ord. 12-2004 § 2)

7.206 Surcharge rate.

The rates of surcharges for NH3-N, BOD5 and SS shall be as follows:

per lb. of BOD:	\$.03
per lb. of SS:	\$.03
per lb. of NH3-N	\$.08

7.207 Computation of surcharge.

The concentration of wastes used for computing surcharges will be established by waste sampling. Waste sampling shall be performed as often as may be deemed necessary by the Director of Public Works and shall be binding as a basis for surcharges. All fees for testing of waste samples will be borne by the user.

7.208 Computation of wastewater service charge.

$$CW = CC + CD + CM (V_u - X) CU + CS$$

Where	CW	=	Amount of waste service charge (\$) per billing period.
	CD	=	Debt Service Charge (Section 7.204)
	CC	=	Capital Improvement Charge
	CM	=	Minimum Charge for Operation, Maintenance and Replacement (Section 7.205)
	V _u	=	Wastewater Volume for the billing period.
	X	=	Allowable consumption in gallons for the minimum charge (Section 7.205)
	CU	=	Basic User Rate for Operation, Maintenance and Replacement (Section 7.201)
	CS	=	Amount of Surcharge (Section 7.206).

7.209 Payment of water and wastewater charges; delinquent charges.

A. Liability for Charges. The owner of the premises, the occupant thereof and the user of the City Utility Service shall be jointly and severally liable for payment for the service on such premises, and the service is furnished to the premises by the City only upon the condition that the owner of the premises, the occupant thereof, and the user of the service are jointly and severally liable therefor to the City.

B. Payment of Charges. Charges for City utility service shall be billed bimonthly on a cycle basis and shall be due and payable within twenty (20) days of the billing date. A late charge equal to five percent of the combined water and sewer charges shall be added to all bills not paid in full within the period.

C. Delinquent Charges. In the event charges for City Utility Service remain unpaid and the city deems it is not in the best interest to pursue collection under discontinuance of service proceedings, such delinquent charges shall constitute a lien upon the real estate occupied by the user to whom the service is supplied and the City Clerk is hereby authorized and directed to file a sworn statement showing such delinquency in the office of the County Recorder and the filing of such statement shall be deemed notice for the payment of such charges for such service. The City Attorney is authorized to institute proceedings to foreclose such liens in the manner for the foreclosure of statutory liens wherever the charges have continued unpaid for one hundred five (105) days after a bill has been rendered.

D. Discontinuance of Service; Failure to Pay Charges. If charges for the City Utility Service of the City are not paid within thirty (30) days after the due date, the city may begin disconnection procedures.

Prior to disconnection written notice shall be given to the occupant and/or owner or manager of the service address setting the time and place for a public hearing regarding the non-payment of charges.

Failure to appear, or resolve the payment of the subject delinquent charges on or before the hearing date set forth in the above notice will result in disconnection of service.

Should service be discontinued, a cash payment of the delinquent charges plus a reconnection fee shall be payable prior to service reconnection. The reconnection fee shall be twenty dollars (\$20.00) if request for reconnection is made prior to 3:00 p.m., sixty dollars (\$60.00) if reconnection is requested after 3:00 p.m. (4/17/89; Ord. 21-2003 §§ 12--13)

7.210 Disposition of revenues.

A. Collector's Duties. All revenues and moneys derived from the operation of the City Utility Service of the city shall be held by the City Collector separate and apart from his private funds, and separate and apart from all other funds of the city, and all of such sum, without any deductions whatsoever, shall be delivered to the City Treasurer not more than ten (10) days after the receipt of the same, or at such more frequent intervals as may from time to time be directed by the City Council.

B. Treasurer's Duties. The City Treasurer shall receive all revenues from the City Utility Service of the city and all other funds and moneys incident to the operation of such

service as the same may be delivered to him, and deposit the same in a separate fund designated as the "Waterworks and Sewerage Fund" and the Treasurer shall administer the funds in every respect in the manner provided by state law.

C. Accounts. The City Treasurer shall establish a proper system of accounts and shall keep proper books, records, and accounts in which complete and correct entries shall be made of all transactions relative to the City Sewerage Fund and at regular annual intervals.

Article V. Inspection of Building Drainage Systems

7.230 Certain discharges and connections prohibited.

A. No person shall discharge or cause to be discharged any stormwater or rainwater into any public sanitary sewer.

B. No person shall connect or cause the connection of any of the following drains or outlet pipes to any public sanitary sewer:

1. Building storm drains;
2. Foundation drains;
3. Area drains;
4. Driveway drains;
5. Patio drains;
6. Yard drains;
7. Sump pump drains or outlet pipes which collect or include the collection of rainwater, stormwater or groundwater.

C. Notwithstanding the foregoing, the following drains existing as of July 18, 1988 shall be exempt from the provisions of subsections A and B hereof:

1. Foundation drains which flow by gravity directly to public sanitary sewer. (12/16/91)
2. Stairwell drains;
3. Patio drains;
4. Window well drains;
5. Grease traps;
6. Sump pump drains or outlet pipes, the sump pit of which directly services a bathroom and/or toilet in combination with a foundation drain.
7. Driveway drains. (12/4/89)

D. No person shall discharge or cause the discharge from any drains or pipes in such a manner as to cause or create an ice or other hazard in or on public sidewalks or public

roadways. (7/18/88)

7.231 Access to premises.

The Superintendent, or any of his authorized agents, shall have free access, at all reasonable hours, to inspect any premises connected to a public sanitary sewer for purpose of determining whether any drains or outlet pipes as described in Section 7.230 exist on or serve the premises. The fact that the owner or occupant of such premises accepts and uses sanitary sewer service provided by the City shall constitute a consent to the making of such inspection. No person shall refuse to admit authorized agents of the City to any premises for such purpose. In the event any such authorized representative is refused admittance or is in any way hindered in making the inspection, the Superintendent or his authorized agents may apply to any court of competent jurisdiction for an order commanding the owner or occupant of any premises to permit access for purposes herein described. (7/18/88)

7.232 Inspection required upon transfer of property.

A. Definitions. For the purposes of this Section the following words shall have the meanings herein ascribed to them:

Beneficial Interest: Any interest, regardless of how small or minimal such interest may be, in a land trust, held by a trustee for the benefit of beneficiaries of such land trust.

Person: Any natural individual, firm, partnership, association, joint stock company, joint venture, public or private corporation, or a receiver, executor, trustee, conservator or other representative appointed by order of any court.

B. Inspection; Occupancy. Upon transfer of title to, or transfer or assignment of beneficial interest in, real property located in the City, inspection of such property shall be required to verify compliance with Section 7.230. It shall be unlawful for any person to occupy said property subsequent to said transfer or assignment until the inspection required herein shall be performed. If after inspection by the Superintendent or any of his authorized agents the property is determined to be in compliance with Section 7.230, the City Clerk shall issue, without fee, a certificate of compliance to the owner of said property. (7/18/88)

7.233 Penalty.

Any person found guilty in a court of competent jurisdiction of violating, disobeying, omitting, neglecting or refusing to comply with any provision of Sections 7.230 through 7.232 shall, upon conviction, be punished by fine of not less than \$100 nor more than \$1,000 for each offense. (7/18/88)

7.234 Reimbursement program for disconnection of drains from the sanitary sewer system.

A. WHEREAS, the City of Elmhurst is subject to the Consent Decree entered by the Honorable S. Bruce Scidmore, Associate Judge for the 18th Judicial Circuit in the cause entitled "People of the State of Illinois Ex. Rel. Illinois Environmental Protection Agency v. City of Elmhurst," Case No. 87 CH 0044; and

WHEREAS, the Clean Water Act and aforementioned Consent Decree require, inter alia the City of Elmhurst to eliminate private property sources of storm water inflow to its sanitary sewer system from area or surface drains, roof drains, sump pump and footing drains; and

WHEREAS, because the City of Elmhurst formerly maintained a combined sanitary/storm sewer system, connections to the sewer system from the aforesaid drains were not then unpermitted; and

WHEREAS, based upon surveys performed by and on behalf of the City of Elmhurst, which show in excess of 4,500 homes and businesses which have what are now unpermitted connections to the sanitary sewer system, it would be an unreasonable burden and an inefficient use of public funds to employ sufficient city personnel to perform the sewer disconnection work; and

WHEREAS, the City of Elmhurst has instead chosen to impose on its residents and businesses the responsibility for performing the sewer disconnection work as shown by passage of Ordinance No. MCO-07-88 (Sec. 7.230 thru 7.233 of Elmhurst Municipal Code); and

WHEREAS, to lessen the burden of such responsibility on its residents and businesses, the city is willing to reimburse its residents and businesses for out-of-pocket costs incurred after such work is performed and after determining if such work meets city specifications and ordinances; and

WHEREAS, the imposition of the expense for the sewer disconnection work and subsequent reimbursement therefor provides no economic benefit to the City's residents and businesses, this ordinance is enacted.

B. The foregoing recitals are hereby incorporated as a material part of this ordinance (Sec. 7.234).

C. Any resident, business or other person responsible for the maintenance of a residence, business or other structure or property within the city which is served by any drain or outlet pipe as set forth in Ordinance No. MCO-07-88 is hereby declared eligible for reimbursement for actual out-of-pocket expenses incurred as a consequence of performing or having performed, in accordance with and not to exceed the amounts listed on the reimbursement schedule attached hereto as Exhibit "A" and made a part hereof, such sewer disconnection work as is necessary to comply with Ordinance No. MCO-07-88, provided the requirements of this

ordinance, including the following, are satisfied:

1. Apply for and have issued a building permit for such work as is necessary to comply with Ordinance No. MCO-07-88. Such permits shall be issued without fee;
2. Perform, or have performed, all work necessary to comply with Ordinance No. MCO-07-88 within 90 days of receiving notice from the city to perform such work;
3. Perform all work in accordance with City ordinances and specifications;
4. Have all work performed inspected by a City inspector;
5. Submit documentation satisfactory to the City Manager of the expenses incurred in performing and paying for the necessary work.

D. Once notified by the city of the need to perform the work contemplated by this ordinance, such work shall be satisfactorily completed and request for reimbursement made within 90 days of the date of receipt by the property owner or agent of the notice of required work to be eligible for 100 percent reimbursement; if such work is satisfactorily completed and request for reimbursement is made more than 90 but less than 180 days after the receipt of the notice of required work, the city shall reimburse 50 percent of the actual expenses incurred. Any person, firm or corporation failing to satisfactorily complete the required work and request reimbursement within 180 days from the date of receipt of the notice of required work shall be ineligible for any reimbursement whatsoever. The provisions of this section are subject to the maximum reimbursement amounts contained in Exhibit "A". (3/6/89) (Ord. O-04-89)

EXHIBIT A
CITY OF ELMHURST
PRIVATE SECTOR DISCONNECTION PROGRAM
REIMBURSEMENT SCHEDULE

Private Sector Defect	Maximum City Share
Combination sumps with diverter	\$ 500.00
Combination sumps without storm	500.00
Combination sumps with storm	200.00
Non-conforming code storm sump	200.00
Non-conforming storm with diverter	400.00
Unsealed sanitary sump	200.00
Clean-outs	250.00

EXHIBIT A
CITY OF ELMHURST
PRIVATE SECTOR DISCONNECTION PROGRAM
REIMBURSEMENT SCHEDULE

Private Sector Defect	Maximum City Share
Area drains	2,000.00
Driveway drains	2,200.00

Article VI. Cross Connections

7.240 Cross connections prohibited.

A. Cross 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.

B. A potable water supply system shall be designed, installed and maintained so as to prevent contamination from non-potable liquids, solids or gases through cross-connections or any other piping connections to the system. (7/5/94)

7.241 Backflow prevention device required.

A. Locations Where Required. Backflow prevention devices shall be required in the following locations, including locations where there are existing connections, which connections require retrofitting with such an approved device:

1. An approved backflow device shall be installed on all connections to the public water supply. 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 Elmhurst Building Department, actual or potential hazards to the public water supply system exist.
2. An approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises where any of the following conditions exist:
 - a. Premises having an auxiliary water supply, unless such auxiliary supply is accepted as an additional source by the Elmhurst

Building Department and the source is approved by the Illinois Environmental Protection Agency; or

- b. Premises on which any substance is handled which can create an actual or potential hazard to the public water supply system; or
- c. Premises having internal cross-connections that, in the judgment of the Elmhurst Building Department, are not correctable, or premises which have intricate plumbing arrangements which make it impractical to determine whether or not cross-connections exist; or
- d. Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross-connection survey; or
- e. Premises having a repeated history of cross-connections being established or reestablished.

B. Type of Protection Required. All required backflow prevention devices shall meet the following requirements:

- 1. All backflow prevention devices or methods required by this section shall be approved by the Elmhurst Building Department as in compliance with industry standards. Installation and maintenance of such devices shall be in accordance with manufacturer's specifications, a copy of which shall be available on the premises where such device is installed.
- 2. The type of protection required in locations described in subparagraphs A., 2., a., b. and c. hereof shall depend on the degree of hazard which exists, as follows:
 - a. 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.
 - b. 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.
 - c. 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 not dangerous to health.

3. The type of protection required in locations described in subparagraphs A, 2., d. and e. hereof shall be an approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention device.
4. 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:
 - a. The fire safety system contains antifreeze, fire retardant or other chemicals; or
 - b. Water is pumped into the system from another source; or
 - c. Water flow by gravity from a non-potable source, or water can be pumped into the fire safety system from any other source; or
 - d. There is a connection whereby another source can be introduced into the fire safety system.
5. 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. (7/5/94)

7.242 Inspection and maintenance of devices by water customer.

A. It shall be the duty of the water customer at any premises on which backflow prevention devices required by this article are installed to have inspections, 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. At the time of installation, fixed proper air gap separations shall be inspected to assure that a proper vertical distance is maintained between the discharge point of the service line and the flood level rim of the receptacle. Additional inspections shall be required at least annually thereafter, and improper or bypassed air gaps shall be corrected within 24 hours.
2. At the time of installation, double check valve assemblies shall be inspected and tested, and additional inspections shall be required at least annually thereafter. Required service shall be performed within 5 days after any defects are identified.
3. At the time of installation, reduced pressure principle backflow prevention assemblies shall be tested, and additional inspections shall be required at least annually thereafter or more frequently if recommended by the manufacturer. Required service shall be performed within 5 days after any

defects are identified.

B. Each backflow prevention device shall have a tag attached to it listing the date of most recent test or visual inspection, the name of tester or inspector, and the type and date of repairs, if any.

C. A maintenance log shall be maintained, which shall include the following:

1. date of each test or visual inspection; and
2. name and approval number of person performing the test or visual inspection; and
3. test results; and
4. repairs or servicing required, if any; and
5. repairs or servicing required and date completed.

D. Backflow prevention devices shall not be bypassed, made inoperative, removed or otherwise made ineffective without specific authorization by the Elmhurst Building Department.

E. 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 off the booster pump when the pressure in the service line on the suction side of the pump drops to 20 psi or less. 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 Elmhurst Building Department, at least once a year, that the device is operable. (7/5/94)

7.243 Violations and enforcement.

A. Inspections by Elmhurst Building Department.

1. At least every two years, the Elmhurst Building Department shall survey all commercial or industrial properties to determine whether actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record.
2. The inspector for the Elmhurst Building Department shall have the right to enter at any property served by a connection to the public water supply system of the City of Elmhurst at any reasonable time for the purpose of verifying the presence or absence of cross connections, and for the purpose of verifying information submitted by the water customer regarding the required cross-connection control inspection. On demand of the inspector, the owner, lessees or occupants of any premises shall furnish any information which may be requested regarding the piping system or water use on such premises.

B. The Elmhurst Building Department is hereby authorized and directed to

discontinue the water service to any premises where any connection in violation of the provisions of this article is known to exist, after reasonable notice to the occupant of such premises as provided in this Paragraph. The Elmhurst Building Department is also authorized to take such other precautionary measures as may be deemed necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such premises shall not be restored until such conditions have been eliminated or corrected in compliance with the provisions of this Article, and until a reconnection fee of \$95 is paid to the City of Elmhurst. Immediate disconnection with verbal notice only may be effected when the Elmhurst Building Department determines that there is imminent danger of harmful contamination of the public water supply system. Such action shall be followed by written notification of the cause of disconnection. Immediate disconnection without notice to any party may be effected to prevent actual or anticipated contamination or pollution of the public water supply, provided that the Elmhurst Building Department determines that such action is required to prevent a severe health hazard from actual or potential contamination or pollution of the public water supply. Neither the City of Elmhurst or its employees or agents shall be liable to any customer for any injury, damages or lost revenues which may result from termination of said customer's water supply in accordance with the terms of this section, whether or not said termination was effected with or without notice.

C. In the event that it is determined that any water customer is responsible for back-siphoned or back-pressured material or contamination through backflow, or for contamination of the potable water supply system through an illegal cross-connection, an improperly installed, maintained or repaired device, or a device which has been bypassed, such person must bear the cost of clean-up of the potable water supply system.

D. Except as provided in Paragraph C. hereof, any person found to be violating any provision of this Article, shall be served with written notice stating the violation and providing a reasonable time limit for the satisfactory correction thereof. Following such notice, the offender shall, within the period of time stated therein, permanently cease the stated violation.

E. Any person violating any of the provisions of this Article shall, in addition to the fine provided herein, become liable to the City for any expense, loss or damage occasioned by the City by reason of such violation, whether the same was caused before or after notice.

F. Any person violating any provisions of this Article shall, upon conviction thereof by a court of law, be assessed a fine of not less than \$100 nor more than \$1,000 for each violation. Each day upon which a violation occurs or continues constitutes a separate offense.

(7/5/94)

This Article shall apply to all buildings, structures, plumbing systems and premises for which a plumbing permit is sought or required under the ordinances of the City of Elmhurst from

and after the effective date hereof, provided that this ordinance shall apply immediately upon its becoming effective to buildings, structures and premises served by both a public water supply system and an auxiliary water supply system unless such auxiliary supply is accepted as an additional source by the Elmhurst Building Department and the source is approved by the Illinois Environmental Protection Agency. (7/5/94)

Article VII. Private Water Supply Wells

7.250 Prohibitions--Exemptions.

A. Use of Groundwater as a Potable Water Supply Prohibited. The use or attempt to use groundwater as a potable water supply from within the corporate limits of the City by the installation or drilling of wells or by any other method is hereby prohibited, subject to Subsection B. hereof.

B. Exemptions. The following wells shall be exempt from the prohibition set forth in Subsection A. hereof:

1. Wells at points of withdrawal by the City;
2. Private potable water wells in existence before the effective date of this ordinance not including such wells that are in need of major repair;
3. Private irrigation wells provided such wells are equipped with a backflow prevention device as required by the regulations of the Illinois Environmental Protection Agency and City ordinance and for which a permit has been issued by the City pursuant to Section 7.251. (Ord. 1-2003 § 2 (part))

7.251 Permits.

A. Permit Required. No person shall abandon, seal or cap a private potable water well or private irrigation water well, nor shall any person install a private irrigation water well or perform minor repair on any private potable water well or private irrigation water well without first having obtained a permit therefor from the Director of Water and Wastewater.

B. Permit Application Fee. No permit as required by Section 7.251 shall be issued until a completed application shall have been approved by the Director of Water and Wastewater and a permit fee in the amount of two hundred dollars (\$200.00) shall have been paid to the City. (Ord. 1-2003 § 2 (part))

7.252 Memorandum of Understanding.

The Mayor of the City is authorized and directed to enter into a Memorandum of Understanding with the Illinois Environmental Protection Agency ("Illinois EPA") by which the City assumes responsibility for tracking remediated sites, notifying the Illinois EPA of changes to this ordinance codified in this Section, and taking certain precautions when siting public potable water supply wells. (Ord. 1-2003 § 2 (part))

7.253 Violations.

Any person violating any provisions of this Article shall, upon conviction thereof by a court of law, be assessed a fine of not less than \$100 nor more than \$1,000 for each violation. Each day upon which a violation occurs or continues constitutes a separate offense.

SECTION 2. That all ordinances or parts of ordinances in conflict with this ordinance are hereby amended to the extent of the conflict.

SECTION 3. This ordinance shall be in full force and effect from and after passage and publication according to law.

Approved this _____ day of _____, 2008.

Thomas D. Marcucci, Mayor

Passed this _____ day of _____, 2008.

Ayes: _____ Nays: _____

Patty Spencer, City Clerk

COUNCIL ACTION SUMMARY

SUBJECT: An ordinance amending the Chapter 7 (Water and Sewers) of the Elmhurst Municipal Code.

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

Chapter 7 of the Elmhurst Municipal Code regulates water and sewer uses in the City. The portion of the code relating to sewer uses has not been significantly revised since 1996. This amendment imposes reasonable restrictions on materials and wastes that may be discharged into municipal sewers. It is intended to protect the City from damaging materials that might impair the operation of the biological process used at the wastewater treatment facility and/or restrict the direct land application on agricultural soils of stabilized bio-solids. There are no cost effective treatment processes available to remove inorganic contaminants from the 8 million gallons per day that the waste treatment facility currently receives. It is most cost effective to impose discharge limits on sewer users and limit the quantity of contaminants entering the system.

Amended Water and Sewer Ordinance

Executive Summary

NOTE: Due to the comprehensive changes the sewer use ordinance would make and due to the manner in which the current Chapter 7 (Water and Sewers) of the City is organized, it was necessary to prepare a comprehensive amendment to that Chapter. The substantive changes relate only to sewers and the incorporation of the new water/sewer rate adjustments approved by the Council on April 21, 2008.

Article I: Definitions

This Article sets forth the definitions of terms used throughout Chapter 7 (Water and Sewers) of the City's Municipal Code.

Article II: Sewers

This Article significantly revises previous sewer regulations in order to authorize reasonable restrictions on materials and wastes that may be discharged into the City's sewer system.

Sections 7.01-7.06 These Sections set forth general provisions such as the purpose of Article II (Sewers), which is to provide uniform requirements for use of the City's sewers pursuant to the Federal Clean Water Act, the Illinois Environmental Protections Act and the Illinois Municipal Code.

Sections 7.20-7.21 These Sections set forth requirements for extension of the City's sewer system by any entity that wishes to connect to the system. Such requirements include a permit application including detailed plans and specifications, a bond executed by the permittee, certificates of insurance, payment of costs for the permit and inspection, and construction requirements.

Sections 7.30-7.34 These Sections require use of the City's sewer system by all houses and buildings within the City, prohibit depositing human or animal waste in any unsanitary manner on public or private property, and prohibit the use of any privy, septic tank, or cesspool. These Sections also prohibit construction of a private sewer system or wastewater treatment facility within the City other than those approved by the City, and set forth requirements and fees for such approval.

Sections 7.35-36 These Sections set forth fees and construction requirements for the installation of sampling manholes, flow measuring devices, sampling equipment, garbage grinders, grease, oil and sand interceptors, grease traps, laboratories and other facilities using acid or alkaline chemicals.

Section 7.37 This Section provides that it is the property owner's responsibility for maintenance and repair of private sewer lines from their structure to the public sewer including the tap into the public sewer.

Section 7.38 This Section sets forth special safety and sanitary requirements for automobile service stations and gas stations.

Sections 7.40-7.42 These Sections require non-residential users to provide information to the City regarding their discharges into the City's sewers.

Sections 7.50-60 These Sections set forth general discharge requirements which prohibit discharging pollutants and other harmful substances into the City's sewer system. These Sections adopt national and state pretreatment standards as well as local standards, which place specific limits on the volume of pollutants that may be discharged. To enforce these standards, these Sections impose monitoring requirements and require installation of sampling facilities by all commercial and industrial users.

Sections 7.61-7.62 These Sections permit the City's pretreatment coordinator to require users to restrict their discharge during peak flow periods and make other restrictions that are necessary to protect the City's sewer system, including requiring a user that has on-site prohibited discharge materials or hazardous waste, to develop and implement a spill prevention, containment and countermeasures plan.

Sections 7.70-7.76 These Sections allow the City's pretreatment coordinator to require users to apply for a discharge permit. Users who are required to apply for a permit must provide information describing the types of raw materials and chemicals used or stored at their facilities, and the types of discharges that will be made into the City's sewer system.

Sections 7.80-7.86 These Sections authorize the issuance of discharge permits, list conditions the user must follow in order to retain a discharge permit, and provide a method of administrative appeal for users who request reconsideration of the terms of their discharge permit. These Sections also authorize the pretreatment coordinator to reissue, revoke or modify a discharge permit for good cause, and prohibit the transfer of a discharge permit from one user to another without written approval from the City.

Section 7.87 If another municipality or user located within another municipality contributes wastewater to the City's sewer system, this Section requires the City to enter into an intergovernmental agreement with the contributing municipality that establishes limits on the nature, quality and volume of the contributing municipality's wastewater at the point where it discharges into the City's sewer system.

Section 7.90 This Section sets forth pretreatment and reporting requirements for non-categorical users to prevent and abate dangerous discharges into the City's sewer system.

Section 7.91 This Section sets forth pretreatment and reporting requirements for categorical industrial users to ensure compliance with pretreatment standards.

Section 7.92 This Section requires periodic compliance reports from non-categorical and categorical industrial users.

Section 7.93-7.99 These Sections require users to report changed conditions, potential problems and the discharge of hazardous waste.

Sections 7.100 This Section authorizes the City to enter and inspect the premises of any user to determine whether the user is complying with the requirements of this Article.

Section 7.101 This Section requires users to keep records of sampling and monitoring activities.

Section 7.102 This Section authorizes the pretreatment coordinator to seek a court issued search warrant to property where he/she has been refused access and where probable cause exists to believe that there may be a violation of this Article, or where there is a need to inspect or sample as part of a routine inspection.

Section 7.110 This Section sets forth the conditions under which information obtained from users in reports and inspections may or may not be made public.

Section 7.120 This Section authorizes the pretreatment coordinator to annually publish in the any daily newspaper circulated within the City a list of users who, within the last 12 months, were in significant noncompliance with pretreatment standards and requirements.

Sections 7.130-7.136 These Sections provide administrative enforcement remedies for violations of this Article, including compliance agreements, cease and desist orders and emergency suspensions or termination of a user's discharge.

Sections 7.140-144 These Sections provide penalties and judicial enforcement remedies including fees for filing of late reports, recovery of costs incurred for damage to the City's sewer system, injunctive relief, and civil penalties (fines).

Sections 7.150-7.154 These Sections authorize the following supplemental enforcement actions against users who have violated this Article: (1) the City may decline to issue a discharge permit unless the user files a performance bond and/or proof of liability insurance, (2) the City may sever the user's water supply, (3) the City may recover the costs incurred in remedying a violation of this Article, and (4) the City may refuse to award contracts to the user for the sale of goods or services to the City.

Section 7.160-7.161 These Sections provide a user who is in noncompliance with this Article with an affirmative defense when that user unintentionally and temporarily falls into noncompliance due to factors beyond their control or when a user reasonably did not know that its discharge would cause a problem to the City's sewer system.

Section 7.162 This Section permits a user to divert waste streams from the user's treatment facility under certain circumstances, including, when it is necessary to prevent loss of life, personal injury or severe property damage.

Sections 7.170 This Section authorizes the City to impose fees and charges necessary to operate its sewer system.

Sections 7.171-7.172 These Sections ensure the continued legal validity of this Article in the unlikely event that a court invalidates any of its provisions or a conflict is discovered between this Article and any other City ordinance.

Section 7.173 This Section provides that this amended Article does not prohibit the City from prosecuting a violation of the prior Article.

Article III: Water

This Article has merely been reorganized and renumbered.

Article IV: Rates and Charges

This Article has merely been renumbered with the exception that Sections 7.200 (Water Service Charges), 7.201 (Wastewater/Sewer Service Charges), and 7.205 (Minimum Charges) reflect an increase in the City's water rate and sewer rate, pursuant to the recommendation of the Finance, Council Affairs and Administrative Services Committee Report approved by the City Council on April 21, 2008. The water rate adjustment is 4% for all users, with the residential rate increasing from \$3.85 to \$4.00 per thousand gallons of water usage (\$1.06 per cubic meter). The sewer rate adjustment is 5% for all users, with rates increasing from \$3.52 to \$3.70 (\$.98 per cubic meter).

Article V: Inspection of Building Drainage Systems

This Article has merely been renumbered.

Former Article V: Prohibition and Penalty

This Article has been deleted because its provisions have been incorporated into the new Article II (Sewers).

Article VI: Cross Connections

This Article has merely been renumbered.

Article VII: Private Water Supply Wells

This Article has merely been renumbered with a standard violations section (7.253) added.

ZO-10-2008

**AN ORDINANCE GRANTING A CONDITIONAL USE
PERMIT FOR THE PURPOSE OF OPERATING A MASSEUR/MASSEUSE
SERVICES FACILITY ON THE PROPERTY
COMMONLY KNOWN AS 191 SOUTH ROUTE 83
(MASSAGE ENVY)**

WHEREAS, the City of Elmhurst has heretofore adopted an Ordinance entitled the "Elmhurst Zoning Ordinance"; and

WHEREAS, Section 3.11 of the Elmhurst Zoning Ordinance sets forth the standards with respect to conditional uses; and

WHEREAS, Federal Construction Inc. is the owner and Thomas and Kathleen Durand are the prospective tenants of a portion of certain property legally described as follows:

PARCEL NO. 1: THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THIRD PRINCIPAL MERIDIAN, LYING SOUTHWESTERLY OF THE ILLINOIS CENTRAL RAILROAD, (EXCEPTING THAT PORTION LYING WESTERLY OF STATE ROUTE NO. 83 AND THAT PORTION DEDICATED TO THE PEOPLE OF THE STATE OF ILLINOIS FOR HIGHWAY PURPOSES, AND RECORDED AS DOCUMENT NO. 353696, JANUARY 8, 1934) AND EXCEPTING THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, THENCE WESTERLY IN THE SOUTH LINE THEREOF 636.60 FEET MORE OR LESS, TO ITS POINT OF INTERSECTION WITH A LINE WHICH IS 200 FEET EASTERLY OF (MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE EASTERLY LINE OF STATE HIGHWAY NO. 83, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE CONVEYED TO WIT: THENCE NORTH-NORTHWESTERLY IN SAID PARALLEL LINE 350.0 FEET; THENCE WESTERLY IN A LINE PARALLEL WITH SAID SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3 FOR A DISTANCE OF 202.46 FEET TO ITS POINT OF INTERSECTION WITH THE EASTERLY LINE OF SAID HIGHWAY; THENCE SOUTHERLY IN THE EASTERLY LINE OF SAID HIGHWAY 350.0 FEET TO ITS INTERSECTION WITH SAID SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE EASTERLY IN SAID SOUTH LINE 202.46 FEET TO THE POINT OF BEGINNING. ALSO, BEGINNING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3; THENCE SOUTH IN THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP AND RANGE

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5-29-08

AFORESAID, 118.64 FEET TO THE POINT OF INTERSECTION OF SAID EAST LINE WITH A LINE WHICH IS 118.46 FEET SOUTHERLY OF (MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3; THENCE WESTERLY IN SAID PARALLEL LINE 611.44 FEET TO ITS POINT OF INTERSECTION WITH A LINE WHICH IS 200.0 FEET EASTERLY OF (MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE EASTERLY LINE OF STATE HIGHWAY 83; THENCE NORTH-NORTHWESTERLY IN SAID LAST DESCRIBED PARALLEL LINE 119.92 FEET TO ITS POINT OF INTERSECTION WITH SAID NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3; THENCE EASTERLY IN SAID NORTH LINE 636.60 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM ALL THAT PART OF THE ABOVE DESCRIBED PROPERTY LYING WITHIN THE EAST 33.0 FEET OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP AND RANGE AFORESAID, AS TAKEN OR USED FOR ROAD PURPOSES, ALSO EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY, BEGINNING AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE ILLINOIS CENTRAL RAILROAD AND THE EAST RIGHT OF WAY LINE OF THE ILLINIOS HIGHWAY 83; THENCE SOUTH ALONG THE EAST RIGHT OF WAY LINE OF ILLINOIS HIGHWAY 83 FOR A DISTANCE OF 45 FEET; THENCE EAST ALONG A LINE PERPENDICULAR TO THE ILLINOIS HIGHWAY 83 RIGHT OF WAY TO A POINT THAT INTERSECTS THE SOUTHWESTERLY RIGHT OF WAY OF THE ILLINOIS CENTRAL RAILROAD; THENCE NORTHWEST ALONG THE ILLINOIS CENTRAL RAILROAD TO THE POINT OF BEGINNING, ALL IN DU PAGE COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3; THENCE WESTERLY IN THE SOUTH LINE THEREOF, 636.60 FEET TO ITS POINT OF INTERSECTION WITH A LINE WHICH IS 200 FEET EASTERLY OF (MEASURED AT RIGHT ANGELS TO) AND PARALLEL WITH THE EASTERLY LINE OF STATE HIGHWAY NO. 83; THENCE NORTH-NORTHWESTERLY IN SAID PARALLEL LINE 147.54 FEET SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE CONVEYED TO WIT; THENCE NORTH-NORTHWESTERLY IN SAID PARALLEL LINE 202.46 FEET; THENCE WESTERLY IN A LINE PARALLEL WITH SAID SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, FOR A DISTANCE OF 202.46 FEET TO ITS POINT OF INTERSECTION WITH THE EASTERLY LINE OF SAID HIGHWAY; THENCE SOUTHERLY IN THE EASTERLY LINE OF SAID HIGHWAY 202.46 FEET; THENCE EASTERLY 202.46 FEET ON A LINE PARALLEL TO SAID SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3 TO THE POINT OF BEGINNING IN DU PAGE COUNTY, ILLINOIS.

ALL THE ABOVE CONTAINING 9.954 ACRES MORE OR LESS EXCLUSIVE OF RIGHT OF

WAY OF WEST AVENUE.

P.I.N. 06-03-417-016

Commonly known as 191 S. Illinois Route 83, Elmhurst, Illinois ("Subject Property"); and

WHEREAS, the Subject Property is located within the C-2 Community Shopping and Service Zoning District the regulations of which allow masseur/masseuse service facilities ("Massage Facility") as a conditional use; and

WHEREAS, Thomas and Kathleen Durand, as authorized by the Owner, have submitted their application for a conditional use permit to allow the establishment of a Massage Facility on the Subject Property; and

WHEREAS, on April, 2008 the Zoning and Planning Commission conducted a public hearing at Elmhurst City Hall, 209 North York Street, Elmhurst, Illinois in connection with the aforesaid application after notice of said hearing was duly given; and

WHEREAS, on May 7, 2008 Zoning and Planning Commission rendered its decision on the aforesaid conditional use application and on the same date filed its report of findings and recommendations, recommending that the conditional use be granted; and

WHEREAS, on May 13, 2008 the Development, Planning and Zoning Committee of the City Council recommended approval of the aforesaid conditional use; and

WHEREAS, all applicable requirements of Section 3.11 of the Elmhurst Zoning Ordinance relating to the granting of conditional uses has been met.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the City Council of the City of Elmhurst, DuPage and Cook Counties, Illinois as follows:

SECTION 1. That the recitals in the preamble hereto are incorporated as part of this ordinance.

SECTION 2. That the City Council finds, in connection with the conditional use for a Massage Facility on the Subject Property:

- A. That the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort or general welfare;
- B. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;

- C. That the establishment of the conditional use will not impede the normal or ordinary development and improvement of the surrounding property for uses permitted in the district;
- D. That adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided;
- E. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
- F. That the proposed conditional use is not contrary to the objectives of the current comprehensive plan for the City of Elmhurst; and
- G. That the conditional use shall, in all respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Commission.

SECTION 3. That a conditional use permit is hereby granted to Thomas and Kathleen Durand d/b/a Massage Envy for the purpose of establishing a Massage Facility on the Subject Property, subject to the condition that the conditional use shall be operated and maintained in accordance with the evidence submitted to the Zoning and Planning Commission and the recommendation thereof.

SECTION 4. That the City Clerk is directed to transmit a copy of this ordinance to Darrell Whistler, Chairman, Zoning and Planning Commission, Nathaniel J. Werner, Planning and Zoning Administrator, and Thomas and Kathleen Durand, 718 North Vail Avenue, Arlington Heights, IL 60004

SECTION 5. All ordinances or parts of ordinances in conflict with this ordinance are hereby amended to the extent of the conflict.

SECTION 6. This ordinance shall be in full force and effect after passage and publication according to law.

Approved this _____ day of _____, 2008.

Thomas D. Marcucci, Mayor

Passed this ____ day of _____, 2008.

Ayes: _____ Nays: _____

Patty Spencer, City Clerk

COUNCIL ACTION SUMMARY

SUBJECT: Ordinance - Conditional Use Permit for a Massage Facility
(Massage Envy – 191 South Route 83)

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER

Attached for Council consideration is an ordinance which would grant a conditional use permit for a massage facility on the property located at 191 South Route 83 in the Elmhurst Crossing Shopping Center. The Ordinance is subject to the typical condition that the conditional use shall be operated and maintained in accordance with the evidence submitted to the Zoning and Planning Commission and the recommendation thereof.

ZO-11-2008

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE ELMHURST ZONING ORDINANCE IN CONNECTION WITH FRONT PORCHES, ON ELECTRONIC SIGN DISPLAYS, SUPPLEMENTAL SETBACKS ON YORK STREET, TEMPORARY USES, ALLOWING CITY FACILITIES IN THE C/R CONSERVATION/RECREATION DISTRICT AS PERMITTED USES, ALLOWING MUNICIPAL PARKING STRUCTURES AND PARKING LOTS AS PERMITTED OR CONDITIONAL USES IN THE C-4 CENTRAL BUSINESS, O/I/C OFFICE/INSTITUTIONAL/CULTURAL AND C-1 LOCAL SHOPPING DISTRICTS AND TEMPORARY CIVIC BANNERS

WHEREAS, the City Council has heretofore adopted an ordinance entitled the "Elmhurst Zoning Ordinance" ("Zoning Ordinance"); and

WHEREAS, Section 3.10 of the Zoning Ordinance provides authority for amendments thereto; and

WHEREAS, The City of Elmhurst has filed its application to amend the text of the Zoning Ordinance in various respects, as hereinafter more particularly set forth; and

WHEREAS, on March 13, 2008, the Zoning and Planning Commission of the City of Elmhurst conducted a public hearing in connection with the proposed amendments, after notice thereof was duly given; and

WHEREAS, on March 17 and May 8, 2008, the Zoning and Planning Commission rendered decisions on the aforesaid application recommending that the amendments sought be approved; and

WHEREAS, on May 13, 2008, the Development, Planning and Zoning Committee of the City Council recommended that an ordinance amending the Zoning Ordinance accordingly be adopted; and

WHEREAS, on May 19, 2008, the City Council approved the recommendation of the Development, Planning and Zoning Committee; and

WHEREAS, all requirements for the amendment of the Zoning Ordinance have been satisfied.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the City Council of the City of Elmhurst, DuPage and Cook Counties, Illinois as follows:

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5-29-08

SECTION 1. That Chapter 7, Part A, Section 4c (Yard Requirements) of the Elmhurst Zoning Ordinance be amended by adding language at the end thereof as follows:

"Open, unenclosed front porches that do not exceed an encroachment into the established average front yard setback of more than six (6) feet of that average setback shall be permitted provided, however, that the encroachment cannot exceed the required setback of the district in which it is located."

SECTION 2. That the Section 11.5-1 (Changing Signs-Automatic) of the Elmhurst Zoning Ordinance be amended by adding language at the end thereof as follows:

"Such signs shall display amber text only on a black background without scrolling, flashing or other movements between text messages."

SECTION 3. That Subsection 4.6-7 (Supplementary Setback Lines) of the Elmhurst Zoning Ordinance be amended by deleting that subsection in its entirety, without replacement.

SECTION 4. That Section 4.10 (Temporary Uses and Events) of the Elmhurst Zoning Ordinance be amended by deleting the language "*and with the concurrence of the City Council. No permit for any temporary use or event shall be issued unless the City Manager has given written notice to the City Council at least 72 hours prior to a regularly scheduled Council meeting. At such meeting the City Council may, in its discretion, direct the City Manager to deny the temporary use/event permit to the applicant therefor.*" from Subsection 4.10-2 thereof, without replacement and by deleting subparagraph 2 of Subsection 4.10-2, replacing same as follows:

"Approval by the Planning, Zoning & Economic Development Department, Building Department, Fire Department, & Police Department of plans for structures and plans for vehicular and pedestrian access in connection with the temporary use or event"

SECTION 5. That Section 7.1-1 (Permitted Uses in the Conservation/Recreation District) by redesignating subparagraphs (4) through (7) as subparagraphs (5) through (8) and by adding a new subparagraph (4) as follows:

"Buildings and/or Facilities owned, operated or controlled by the City of Elmhurst"

SECTION 6. That Section 8.1-1(1) (Permitted Uses in the O/I/C District) of the Elmhurst Zoning Ordinance be amended by adding a new subparagraphs (c) and (d) thereto as follows:

"Municipal Parking Garages or Structures"

"Municipal Parking Lots for the storage of private passenger automobiles"

SECTION 7. That Section 8.1-1 (Permitted Uses in the O/I/C District) of the Elmhurst Zoning Ordinance be amended by deleting subparagraph (7) thereof, replacing same as follows:

"Parking lots and Parking Garages or Structures as an accessory use".

SECTION 8. That Section 8.3-1 (Permitted Uses in the C-1 Local Shopping District) of the Elmhurst Zoning Ordinance be amended thereof redesignating subparagraphs 52 through 95 thereof as subparagraphs 54 through 97 and by adding new subparagraphs 52 and 53 as follows:

"Municipal Parking Garages or Structures"

"Municipal Parking Lots for the storage of private passenger automobiles"

SECTION 9. That Section 8.3-2 (Conditional Uses in the C-1 Local Shopping District) of the Elmhurst Zoning Ordinance be amended by redesignating subparagraphs 8 through 18 as subparagraphs 9 through 19 and by adding a new subparagraph 8 as follows:

"Parking Garages or Structures, other than accessory"

SECTION 10. That Section 8.6-1 (Permitted Uses in the C-4 Central Business District) of the Elmhurst Zoning Ordinance be amended by redesignating subparagraphs 53 through 100 as subparagraphs 55 through 102 and by adding new subparagraphs 53 and 54, as follows:

"Municipal Parking Garages or Structures"

"Municipal Parking Lots for the storage of private passenger automobiles"

SECTION 11. That Section 8.6-2 (Conditional Uses in the C-4 Central Business District) of the Elmhurst Zoning be amended by redesignating subparagraphs 12 through 18 as subparagraphs 14 through 20 and by adding new subparagraphs 12 and 13 as follows:

"Parking Garages or Structures, other than accessory"

"Parking Lots, open and other than accessory, for the storage of private passenger automobiles:

SECTION 12. That Section 11.9-2 (Civic Banners) of the Elmhurst Zoning Ordinance be amended by deleting the last two sentences therefrom, without replacement.

SECTION 13. All ordinances or parts of ordinances in conflict with this ordinance are hereby amended to the extent of the conflict.

SECTION 14. This ordinance shall be in full force and effect after passage and publication according to law.

Approved this _____ day of _____, 2008.

Thomas D. Marcucci, Mayor

Passed this _____ day of _____, 2008.

Ayes: _____ Nays: _____

Patty Spencer, City Clerk

H:Susan/COE/Ordinances/various text amendment to zoning ordinance

COUNCIL ACTION SUMMARY

SUBJECT: Ordinance - Zoning Ordinance Text Amendments

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

Pursuant to the recommendations of the Zoning and Planning Commission and the Development, Planning and Zoning Committee, an ordinance has been prepared that would amend the Zoning Ordinance in various respects. The ordinance would make the following changes:

1) Front Porches. Open and unenclosed front porches that encroach into the established front yard setback by not more than 4 feet, would be permitted provided that encroachment does not exceed the required setback of the particular zoning district in which the property is located;

2) Electronic Signs. The display on the electronic signs would be limited to amber text only on a black background with no scrolling, flashing or other movements between text messages being permitted;

3) Supplementary Setback Lines on York Street. Currently the Zoning Ordinance establishes a setback line 7 feet supplementary to any zoning district regulations on York Street between Third and Lake Streets. The Ordinance further requires a 90 foot setback line supplemental to the zoning district requirements on York Street between I-290 and Grand Avenue. The ordinance would eliminate the supplemental setbacks, all setbacks being as required by the zoning district regulations;

4) Temporary Uses and Events. The ordinance would eliminate the need for City Council approval of temporary uses, that authority being within the City Manager's discretion provided the Planning, Zoning and Economic Development, Building, Fire and Police Departments all approved plans for any structures and plans for vehicular pedestrian access in connection with the temporary use.

5) Permitted Uses in the C/R Conservation Recreation District. Buildings and/or facilities owned, operated or controlled by the City of Elmhurst would be added as permitted uses.

6) Permitted Uses in the O/I/C, Office Institutional Cultural District would be expanded to include municipal parking garages, structures and lots. Furthermore, parking lots and parking garages and structures would be permitted in this district as an accessory use.

7) Addition of Municipal Parking Garages or Structures as Permitted or Conditional Uses in the C-1 Local Shopping District and the C-4 Central Business District. Municipal parking garages, structures and lots would be added as permitted uses in the C-1 and C-4 Districts, parking garages and structures that are not accessory uses would be added as a conditional use in the C-1 District and parking garages, structures and lots other than as accessory uses would be added as conditional uses in the C-4 District.

8) Temporary Banners. The requirement of giving the City Council the option to veto the City Manager's decision with regards to the placement of specific banners would be eliminated.

An Ordinance amending the text of the zoning ordinance as outlined is attached for Council consideration.