

## LASALLE COUNTY HEALTH ORDINANCE ARTICLE II PRIVATE SEWAGE DISPOSAL

### DEFINITIONS:

1. **Adverse Soil Conditions** means soil conditions present on a given property which are unfavorable for the installation of standard private sewage disposal systems. Examples of adverse soil conditions include high water table, shallow bedrock, areas prone to ponding water and/or flooding.
2. **Common Collector** shall mean an underground, enclosed conduit designed to carry treated sewage effluent exclusive of storm water and that serves more than one property.
3. **Collection System** shall mean an underground, enclosed conduit installed and constructed for the purpose of collecting treated effluent from individual private sewage disposal systems within a subdivision, that is operated and maintained under permit from the Illinois Environmental Protection Agency
4. **Domestic Sewage** shall mean waste water derived principally from dwellings, business or office buildings, institutions, food establishments and similar facilities
5. **Health Officer** shall mean the Administrator of the LaSalle County Health Department or his authorized representative
6. **Human Wastes** shall mean undigested food and by-products of metabolism which are passed out of the human body
7. **NPDES Permit** means any general or individual National Pollutant Discharge Elimination System permit issued by the Illinois Environmental Protection Agency or the United States Environmental Protection Agency.
8. **Outlot** means an unbuildable lot. The final plat of any subdivision that includes any outlot shall contain a notation on the plat indicating that no building may be erected on said outlot
9. **Portable Potable Hand Washing Unit** means a self-contained, movable, potable water unit equipped with a waste-receiving holding container that may be moved or transported from site to site.
10. **Portable Toilet** means a self-contained, movable unit equipped with a waste-receiving holding container that may be moved or transported from site to site.
11. **Portable Sanitation Business** means any partnership, company, limited liability company, corporation, or individual that sells, rents, leases, transports, services, cleans, sanitizes, or maintains a portable toilet or portable potable hand-washing unit or pumps, or transports or disposes of waste from portable toilets or portable potable hand-washing units.
12. **Portable Sanitation Technician** means any individual who is certified by the Department as an employee for a portable sanitation business and who has completed the training required by this Part.
13. **Portable Sanitation Technician Trainee** means any individual who is certified by the Department

as an employee for a portable sanitation business for less than one year.

14. **Population Equivalent** means an average waste loading, equivalent to that amount of waste produced by one person which is defined as 100 gallons per day or that amount of waste containing 0.17 pounds BOD
15. **Private Sewage Disposal System Installation Contractor** shall mean any person constructing, installing, repairing, modifying, or maintaining private sewage disposal systems
16. **Private Sewage Disposal System Pumping Contractor** shall mean any person who cleans or pumps waste from a private sewage disposal system or hauls or disposes of waste removed therefrom
17. **Sewage** shall mean human or animal wastes and other liquid waste from residences, business buildings, industrial establishments, or other places together with such ground water infiltration and surface waters as may be present
18. **Sewer Systems**  
  
**Community Public Sewer System** shall mean any sewage handling or treatment facility operating and maintained by a public agency or public utility under permit from the Illinois Environmental Protection Agency, not including the use of private sewage disposal systems on individual lots  
  
**Private Sewage Disposal System (alternative)** shall mean any sewage handling or treatment facility receiving domestic sewage from less than fifteen (15) people or population equivalent and having a ground surface discharge  
  
**Private Sewage Disposal System (standard)** shall mean any sewage handling or treatment facility receiving domestic sewage and having no ground surface discharge
19. **Sludge** shall mean the accumulated solids settled during sewage treatment
20. **Soil boring** means an observation pit, dug by hand or backhoe, or an undisturbed soil core taken intact and undisturbed by a probe
21. **Soil Classifier** shall mean a certified soil classifier of the Illinois Soil Classifiers Association (ISCA) or a certified soil classifier with the American Registry of Certified Professionals in Agronomy, Crops, and Soils (ARCPACS) or an associate member of the (ISCA) or the (ARCPACS) provided that direct supervision is provided by a certified soil classifier who reviews and sign all soils investigation reports
22. **Subsurface Drain** means an artificial drain which is designed to lower the estimated seasonal high water table to achieve the specified vertical separation distances.
23. **Topography Limitations** means limitations of topography on a given property which are unfavorable for the installation of standard private sewage disposal systems. Examples of topography limitations are slope and wooded areas.
24. **Water Table** means the upper limit of the portion of the soil or rock formation that is completely saturated with water.

## **SECTION A, GOAL:**

To provide for the protection of the consumer and the environment by promoting the proper design and construction of private sewage disposal systems. Additionally, to reduce or eliminate the risk of transmission of disease organisms and the nuisances resulting from improperly or inadequately treated sewage.

**SECTION B,               SCOPE:**

An Ordinance regulating the construction and/or reconstruction of private sewage disposal systems and the servicing of such systems within the limits of LaSalle County, Illinois as provided for in Chapter 34, Section 419 of the Illinois Revised Statutes and as referenced in Chapter 111 2, Section 20c 8 of the same Illinois Revised Statutes.

**SECTION C,               ADOPTION BY REFERENCE:**

In addition to those provisions set forth, this Ordinance shall be interpreted and enforced in accordance with the provisions set forth in the State of Illinois Private Sewage Disposal Licensing Act and Code, 2013, and any subsequent amendments or revisions thereto, one copy of which shall be on file in the office of the LaSalle County Clerk, which publication is incorporated herein and adopted by reference as part of this Ordinance.

**SECTION D,               REQUIREMENTS:**

1. No person shall discharge or cause to be discharged inadequately treated sewage directly or indirectly to any stream, ditch, ground surface, underground mine, cave, sinkhole, cistern, basement, tunnel or abandoned well or maintain or operate a private sewage disposal system in such a manner that it becomes offensive, dangerous or prejudicial to the public health. The term improperly treated sewage shall include effluent discharged to the ground surface from alternative private sewage disposal systems which does not meet the quality standards set forth in the Illinois Department of Public Health "Private Sewage Disposal Licensing Act and Code", 2013, or latest edition thereof.
2. No building structure, area or premise shall be constructed or maintained for human occupancy, use, or assembly without adequate facilities for the sanitary and safe disposal of all domestic sewage.
3. A private sewage disposal system shall be in an area which shall be maintained so that it is free from encroachment by driveways, accessory buildings, swimming pools, parking areas, buried lawn sprinklers, underground utilities, patios, slabs, additions to the original structure or any structure which limits free access to the system for maintenance, servicing, or proper operation.
4. Lot Sizes.
  - a. For lots plotted after November 22, 1996
    - 1) The minimum lot size requiring a private sewage disposal system shall be twenty thousand (20,000) square feet, including easements, for lots served by a community public water system.
    - 2) The minimum lot size requiring a private sewage disposal system shall be one acre (43,560 square feet), including easements, for lots served by a private water supply.
    - 3) Lots which cannot be served by standard private sewage disposal systems due to unacceptable soil and/or other adverse conditions shall have an area of one acre (43,560 square feet) or greater.
    - 4) After March 11, 1998, the minimum lot size for lots in subdivisions which utilize a collection system shall be 3/4 acre (32,670 square feet), including easements

- b. For lots plotted and on record between April 11, 1988, and November 22, 1996
  - 1) The minimum lot size requiring a private sewage disposal system shall be fifteen thousand (15,000) square feet, including easements, for lots served by a community public water system.
  - 2) The minimum lot size requiring a private sewage disposal system shall be thirty thousand (30,000) square feet, including easements, for lots served by a private water supply.
- c. For lots plotted and on record before April 11, 1988 that are smaller than the required size, special consideration will be given when applying for a permit.

## **SECTION E, PERMITS:**

### **1. PRIVATE SEWAGE DISPOSAL PERMITS**

- a. It shall be unlawful for any person to construct and/or reconstruct private sewage disposal systems within LaSalle County unless he holds a valid Private Sewage Disposal Permit issued by the Health Department stating the name of such person for which the specific construction and/or reconstruction is proposed. Said permit shall indicate a maximum permissible waste loading based on the estimated Population Equivalent. For the purposes of this Article, reconstruct shall mean the extension, addition or replacement of the subsurface disposal field, the movement and/or the replacement of the septic tank, the movement and/or replacement of the aerobic treatment unit, the movement and/or replacement of the chlorine contact chamber, and/or the addition or replacement of the sand filter.
- b. A Private Sewage Disposal Permit shall only be issued to a property owner and/or an Illinois licensed private sewage disposal system installation contractor installing a sewage disposal system. The septic permit application must be signed by both the property owner and the contractor.
- c. It shall be the responsibility of the Illinois licensed private sewage disposal system installation contractor to insure that a Private Sewage Disposal Permit has been issued for said construction and/or reconstruction and to follow the conditions of the permit. In the event that the owner is installing the private sewage disposal system, it shall be the responsibility of the owner to insure that a permit has been issued for said construction and/or reconstruction and to follow the conditions of the permit. Failure to insure said permit has been issued and to follow conditions of the permit shall constitute a violation of this Ordinance and penalty action may be taken.
- d. All applications for Private Sewage Disposal Permits granted under the provision of this Ordinance shall be in writing on forms provided by the Health Department and submitted to the Health Department.
- e. A person desiring a Private Sewage Disposal Permit required herein shall apply to the Health Department upon an application form which shall be completed and signed by each applicant and shall include the following:
  - 1) Name and address of the applicant and the legal address of the proposed site of construction, alteration, or extension proposed.
  - 2) Complete plan of the proposed sewage disposal

system, with substantiating data, if necessary attesting to its compliance with the minimum standards of this Ordinance.

- 3) Such other information as may be required by the Health Officer to substantiate that the proposed construction, alteration, or extension complies with minimum standards of this Ordinance.
- f. Said permit to construct and/or reconstruct shall be valid for a period of one year from date of issuance. If construction and/or reconstruction has not started within this period, the permit is void.
- g. There shall be a fee charged for the Private Sewage Disposal Permit required in this Article. The fee, as stated in the LaSalle County Health Department Environmental Health Fees Ordinance, shall be collected at the time the application for permit is submitted and shall be deposited into the Health Department fund. Once a Private Sewage Disposal Permit has been issued, no fees shall be refunded. If the Private Sewage Disposal Permit is denied, the fee shall be returned to the applicant.
- h. Private Sewage Disposal Permits shall not be transferable from one person to another person nor shall said permit be applicable to any location, building, or place other than that for which it was issued.
- i. Whenever the Health Department is requested to make an evaluation of a private water supply system and/or a private sewage disposal system as a part of a sale or transfer of property, the fees shall be charged as stated in the LaSalle County Health Department Environmental Health Fees Ordinance.

#### **SECTION F, EVALUATION OF SOIL ABSORPTION CAPACITY:**

1. The absorption capacity of the soil shall be determined from the results of soil investigations.

The Health Department reserves the right to determine the validity of any test and in cases where more than one set of tests have been performed, the Health Department shall determine which test results shall prevail. The Health Department shall have the right to supervise any soil investigation.

2. Soil investigations shall be conducted according to the provisions of the Illinois Private Sewage Disposal Licensing Act and Code. Soil investigations may be performed by a soil classifier or an Illinois licensed professional engineer.

At least 4 separate soil borings, a minimum of 50 feet apart, shall be performed at the site of each proposed subsurface seepage system.

#### **SECTION G, CONSTRUCTION REQUIREMENT:**

1. Alternative private sewage disposal systems may be installed only if one or more of the following conditions are present:
  - a. unsuitable soil
  - b. topography limitations
  - c. when the alternative private sewage disposal system is to replace a failing existing private sewage disposal system

The installation of alternative private sewage disposal systems may be approved by the LaSalle County Health Department for other adverse soil conditions.

2. All aerobic treatment plants shall have an absorption field installed after the unit when

ponding of effluent is likely to occur. The absorption field shall have a minimum size of 100 square feet.

3. Chlorination. All surface discharges must be disinfected with chlorine.
4. Chlorine contact chambers shall have a minimum size of 75 gallons, and shall be provided with a sample port. The sample port shall have a minimum diameter of 4 inches and shall extend to the ground surface. The sample port shall be provided with a watertight removable cap. The chlorine contact chambers shall be placed after the alternative private sewage disposal system.
5. For those properties utilizing a subsurface system as the method for waste disposal, the LaSalle County Health Department requires a minimum of 300 square feet of subsurface leach field to be installed, excluding subsurface leach fields put in to accommodate backwash water from water softeners and hot tub waste.

## SECTION H, SUBDIVISIONS

1. The Health Department shall review and approve any proposed subdivision, if the proposed development will not be served by a public sewer system.
2. The minimum lot sizes shall be as follows:

### Subdivisions of less than 50 Lots

LOT SIZE (in square feet)	WATER SUPPLY	SEWER SUPPLY
less than 20,000	public	public
20,000 - 43, 559	private	public
	public	private
43,560 (1 Acre) or greater *	private	private

\* Lots utilizing a collection system may be 3/4 acre (32,670 square feet) in area

### Subdivisions of 50 lots or more

LOT SIZE (in square feet)	WATER SUPPLY	SEWER SUPPLY
less than 87,119 (2 acres)	public	public
87,120 (2 acres) or greater	private	private

3. The Health Department shall require subdividers to furnish information concerning soil absorption capacities, in order for the Health Department to reasonably ascertain that each lot of said proposed subdivision will be able to support the installation and subsequent use of an approved private sewage disposal system as defined in the Illinois Private Sewage Disposal Licensing Act and Code or require changes in the proposed subdivision plat.
4. At the time of submittal, a fee, as stated in the LaSalle County Health Department Environmental Health Fees Ordinance, shall be paid to LaSalle County Health Department for reviewing the proposed subdivision.
5. Information as required by the Health Officer for the review of subdivision plans shall include but not be limited to:
  - a. A topographical map developed by an Illinois Registered Professional Engineer showing contours at two (2) foot intervals.

The map shall indicate road ditches, drainage ways, wooded areas, storm sewers, and detention ponds.

- b. The location of wetlands, streams, and other flood water runoff channels, and extent of the flood plains at the established high water elevations must all be properly identified on the proposed plat.
- c. Determination of soil characteristics shall be based on soil borings, and a soil investigation conducted by a soil classifier.
  - 1) Soil Investigations shall be conducted by a soil classifier. Soil investigations shall be conducted according to the following criteria:
    - a) A two hundred (200) foot grid system shall be established. At each grid point, a pit shall be excavated. Additional borings may be required to adequately determine soil boundaries between soil mapping units.
    - b) Soil pits shall be performed as follows:
      - a. Dug by a backhoe to a minimum depth of five (5) feet and a minimum width of twenty-four (24) inches. One end of the pit shall be stepped or slanted to permit adequate entry; or
      - b. Mechanical cores performed at a minimum depth of five (5) feet.
    - c) A detailed soil map and the logs of each soil series mapped on the site shall be prepared by the soil classifier and submitted with the soil report. The location of all pits shall be shown on the soil map and each pit shall be numbered consecutively. Individual and intermediate pit locations shall be logged and submitted with the following information:
      - 1) pit number;
      - 2) sample method;
      - 3) soil series and classification;
      - 4) parent material;
      - 5) percent of slope;
      - 6) seasonal water table (in inches);
      - 7) observed water table (in inches);
      - 8) depth of moderately slow to very slow permeability layer (in inches)
      - 9) horizon depth (in inches)
      - 10) texture;

- 11) structure;
  - 12) color and Munsell notation;
  - 13) mottles;
  - 14) coatings;
  - 15) consistence;
  - 16) estimated permeability (in/hr);
  - 17) date of investigation.
- d) The date(s) of all field work shall be documented on the soil maps and report.
  - e) The entire proposed development area shall be mapped showing soil types present with boundaries of each defined considering areas of transition.
- d. Site Characteristics to be described include zones of estimate seasonal high water saturation, depth of mottling, depth of bedrock, drainage ability, and estimate permeability range for each soil type found within the proposed development.
  - e. For lots in the development utilizing surface discharges of treated effluent, the effluent shall be discharged to the following:
    - 1) A collection system which is in accordance with 35 Ill. Adm. Code 309.202(a) and (b) and a National Pollutant Discharge Elimination System (NPDES) permit issued by the Illinois Environmental Protection Agency. For development utilizing an I.E.P.A. collection system, a portion of land must be set aside for future use in the event that tertiary treatment is required on the discharge.
  - f. For lots in the development utilizing standard private sewage disposal systems, the designated area for sewage disposal must be indicated. A sufficient area of suitable ground shall be provided on each lot utilizing a standard private sewage disposal system for a replacement subsurface seepage system. This alternative area shall be designated and shall not be used for any other purpose.
- 6. The Health Department shall give written notification that based upon information furnished by the subdivider, that at the time of submittal it appears that each lot of a proposed subdivision could support the construction and use of an approved private sewage disposal system. Such notification shall:
    - a. be in writing.
    - b. include a statement as to any restrictions relating to the type or size system that could be installed.
    - c. be on file at the Health Department and be available for review to all interested persons.
    - d. be supplied by the subdivider, developer, or their agents upon request to a prospective purchaser of a lot in that proposed subdivision.



**SECTION I, COMPLIANCE AND PERFORMANCE:**

1. The Health Department shall be notified of any modification, change or repair to any private sewage disposal system by either a homeowner or contractor to determine whether that modification, change or repair requires a permit as set forth in the provisions of this Ordinance. The routine cleaning of disposal system components, replacing septic tank cover, or rodding out inlet or outlets, does not require a construction permit as defined under provisions of this Ordinance.
2. All private sewage disposal systems within the limits of LaSalle County shall be installed and/or maintained by an Illinois licensed private sewage disposal system installation and/or pumping contractor provided, however, that a homeowner may install and/or service a private sewage disposal system which serves his own personal residence, including cleaning, pumping, hauling and disposal of waste removed therefrom. Otherwise said cleaning, pumping, hauling and disposal shall be done by an Illinois Licensed Private Sewage Disposal System Pumping Contractor.

**SECTION J, ADMINISTRATION AND ENFORCEMENT:**

1. A private sewage disposal system shall not be covered or placed in operation until said installation shall have been inspected and written approval of said system shall have been issued by the Health Department.
2. The Health Officer or his duly authorized representative may make inspections pursuant to the Administrative Inspection provision of this Ordinance during the course of the construction of any private sewage disposal system, to insure compliance with this Ordinance.
3. If any homeowner or private sewage disposal system installation contractor shall backfill any portion of the private sewage disposal system and/or cover the same which will prevent the same from being readily viewed to determine if the said system meets all requirements of this Ordinance before receipt of written approval by the Health Department, the Health Department may give fifteen (15) days notice in writing to such homeowner or contractor so violating the provisions of this Ordinance, to uncover such backfilled or covered portions of said system.
4. If, at the end of such fifteen (15) days, the homeowner or licensed private sewage disposal system installation contractor shall not have uncovered the private sewage disposal system, the permit is automatically invalidated and penalty action may be taken.
5. The Health Department may refuse to grant a permit for the construction of a private sewage disposal system where public or community sewage systems are available. A public sewer shall be deemed available when a public sewer line is in place within any street, alley, right-of-way, or easement that adjoins or abuts the premises for which a connection is practical and is permitted by the controlling authority for the public sewer. A reasonable distance for the purpose of this provision shall be deemed to be not greater than three-hundred (300) feet for a single family residence and not greater than one-thousand (1,000) feet for a commercial establishment, subdivision or multi-family dwelling.
6. Private sewage disposal systems constructed prior to the effective date of this Ordinance shall be exempt from the provisions of this Ordinance provided such systems continue to function in a manner not prejudicial to public health. In circumstances where existing systems necessitate repair or replacement due to malfunction, such repair and replacement shall be in conformance with the provisions of this Ordinance to the extent which lot size, soil conditions, topography and other unalterable conditions will allow in accordance with Section L of this Ordinance.

**SECTION K, SPECIAL REQUIREMENTS:**

1. All private sewage disposal system installation contractors, pumping contractors, and/or Portable Sanitation Business operating within LaSalle County shall be licensed by the State of Illinois and registered annually with the LaSalle County Health Department.
2. A private sewage disposal system installation contractor, pumping contractor, and/or Portable Sanitation Business desiring to be registered with the LaSalle County Health Department shall apply to the Health Officer upon an application form supplied by the Health Department. This form shall be completed and signed by each applicant and shall include sufficient information to allow for proper review of the application.
3. For serious or repeated violations of any of the provisions of this Ordinance, or for interference with the Health Officer or his duly authorized representative in the performance of his duties, the private sewage disposal system installation contractor, pumping contractor and/or Portable Sanitation Business' registration certificate may be revoked after an opportunity for a hearing has been provided by the Health Officer. A registration certificate may be suspended for a cause pending its revocation or a hearing relative hereto.
4. All private sewage sludge disposal sites within LaSalle County shall be inspected by the Health Department to determine compliance with the provisions of this Ordinance. If the disposal sites are determined to be unacceptable, the Health Department shall issue written notices to the users and owners of that site informing them that the site shall not be used for disposal of said sludge.
5. All private sewage disposal system pumping contractors and/or Portable Sanitation Business operating within LaSalle County or homeowner servicing his personal residence sewage disposal system shall supply a list of all sludge disposal sites being utilized by said homeowner or contractor to the Health Department.
6. Penalty. Any person who violates any provision of the LaSalle County Private Sewage Disposal Ordinance shall upon conviction be guilty of a Class A misdemeanor and shall be fined a sum not less than \$100. Each day's violation constitutes a separate offense.

#### **SECTION L, VARIANCES**

1. If conditions exist which make impractical or impossible compliance with the requirements of this Ordinance, a variance may be granted by the Health Officer. A person seeking a variance shall submit to the Health Officer a written proposal which is to be used in lieu of compliance with provisions of this Ordinance. Such written request shall include all pertinent data which lends support to the requested proposal. The capability of the requested proposal to comply with the intent of this Ordinance will be the basis for approval or denial of the variance. The Health Officer will notify the applicant in writing regarding the decision to either grant or deny the variance within fifteen (15) days of receipt of the requested proposal. A variance shall be requested and approved before construction and/or other action begins.
2. Any persons aggrieved by the decision of the Health Officer may request a hearing in accordance with the provisions of Article I of the LaSalle County Health Ordinance.