

LEGISTAR: 170125
DISTRICT #: ALL

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) Waiver of First Requested
 Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott Niehaus, Village Manager

DATE: March 8, 2017 (BOT) Date: March 16, 2017

SUBJECT: Ordinance Amending Section 50.999 of the Lombard Village Code

SUBMITTED BY: Carl S. Goldsmith, Director of Public Works *gy*

BACKGROUND/POLICY IMPLICATIONS:

Staff recommends an amendment to Section 50.99 of the Lombard Code that would permit the Village to impose a fine up to \$1,000 for each violation of the Village's Industrial Pretreatment Ordinance related to wastewater. This amendment is consistent with State and Federal regulations.

Fiscal Impact/Funding Source:

Review (as necessary):
Finance Director _____ Date _____
Village Manager _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.



March 8, 2017

TO: Village President and Board of Trustees
THROUGH: Scott Niehaus, Village Manager
FROM: Carl S. Goldsmith, Director of Public Works *g*
SUBJECT: Ordinance Amending Section 50.999 of the Lombard Village Code

Title V of the Lombard Village Code provides for the use of the Village's sanitary sewer system. Contained in the Code are requirements for compliance with the USEPA requirements for the pretreatment of industrial users of the sanitary sewer system. The Code specifically provides for the monitoring and reporting of industrial pretreatment.

The Village recently determined that the penalty provision contained in Section 50.999 was not consistent with Federal and State laws, which require the penalty for violations of the pretreatment program result in a minimum penalty of \$1,000 per occurrence. The attached Ordinance amends section 50.999 of the Lombard Village Code to be in compliance with 40 CFR 403.8(f)(1)(vi)(A) and 35 Ill. Adm. Code 310.510(a)(6)(A).

I respectfully request that this matter be placed on the Village Board agenda for the March 16, 2017 meeting for consideration.

Recommendation

Staff recommends that the Village President and Board of Trustees approve the Ordinance Amending Section 50.999 of the Lombard Village Code.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE V, CHAPTER 50,
SECTION 50.999 OF THE LOMBARD VILLAGE CODE
IN REGARD TO PENALTIES FOR VIOLATIONS OF INDUSTRIAL USER
WASTEWATER PRETREATMENT STANDARDS AND REQUIREMENTS**

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard,
DuPage County, Illinois, as follows:

SECTION 1: That Title V, Chapter 50, Section 50.999 of the Lombard Village Code is amended by inserting the following between the first and second sentence of said Section 50.999:

“Notwithstanding the foregoing, any user who has been found to have violated any of the wastewater pretreatment standards and requirements, as set forth in Sections 50.040, 50.055, 50.056, 50.057 or 50.058 of this Code, shall, pursuant to the requirements of, and authority granted by, 40 CFR 403.8(f)(1)(vi)(A) and 35 Ill. Adm. Code 310.510(a)(6)(A), be fined \$1,000.00 for each violation.”

SECTION 2: That this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

Passed on first reading this _____ day of _____, 2017.

First reading waived by action of the Board of Trustees this ___ day of _____, 2017.

Passed on second reading this _____ day of _____, 2017, pursuant to a roll call vote as follows.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2017.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk