

June 26, 2013

**TO:** Public Works Committee

**THROUGH:** David A. Hulseberg, Village Manager

**FROM:** Carl S. Goldsmith, Director of Public Works *g*

**SUBJECT:** Recommendation Village Board Policy Amendment 7.B. and Section 50.027 of the Village Code

The staff has reviewed the referenced Village Board Policy on to the Public Works response to flooding on private property. Based upon the staff review, the following changes are recommended at this time:

- Modify the conditions under which sand and unfilled bags are dropped in accordance with the policy. The current policy states that sand will be provided when the Village is under a Flood Watch. Staff recommends changing this to state that sand will be provided when a Flood Warning is issued for DuPage County.
- A map identifying the low-lying areas prone to flooding has been included as an attachment. This will assist in disseminating the locations to the public. The Public Works Department will evaluate these locations on an as-needed basis, as well as following activation of the policy.

In addition to Village Board Policy 7.B., the staff has reviewed Section 50.027 of the Village Code. This section, specifically 50.027 (E) provides the basis for the 72 hour rule for pumping of private property into a combined sewer. The Section of the Code is provided below:

*“(E) Notwithstanding the requirements of 50.026, any person, but only one person from the area tributary to the common depressional storage area, may pump stormwater run-off from a common depressional storage area on private property toward a combined sewer subject to the following restrictions:*

- (1) pumping may not commence or continue during a rainfall event;*
- (2) pumping may not commence until seventy two (72) hours after a rainfall event or until the Lombard Combined Sewage Treatment Facility has stopped discharging effluent to the East Branch of the DuPage River, whichever is longer;*
- (3) the discharge point must be within fifteen (15) feet of the building structure, and in a*

*manner so as to not cause a nuisance in the public right-of-way, or at the discretion of the Director of Community Development; and*

*(4) no pumping rate can exceed 250 gallons per minute.*

*Notwithstanding the foregoing, pumping as described in this subsection (E) will be prohibited if combined sewer surcharges are induced from such pumping. In addition, the Village of Lombard reserves the right to further restrict the approved pumping rate in individual situations where it has been determined that the maximum rate will result in surcharging, sewer overflows, adverse health or environmental problems."*

Staff has reviewed this provision of the Village Code at the request of residents of the 100 block of S. Chase. The request was to reduce the timeframe required for property owners to begin pumping. The Ordinance currently requires property owners to wait seventy-two (72) hours before beginning to pump stormwater from depressional areas into a combined sewer. The time requirement of 72 hours ties back to the Village of Lombard's NPDES Permit Special Considerations, which states that the Village must have a Sewer Use Ordinance that contains language to, "... (a) prohibit introduction of new inflow sources to the sanitary sewer system; ... (e) assure that CSO impacts from non-domestic sources are minimized by determining which non-domestic discharges, if any, are tributary to CSO's and reviewing, and, if necessary, modifying the sewer use ordinance to control pollutants in these discharges...".

Beginning in fall 1993, the Village began the process of reviewing the Village Code provisions in regard to stormwater and ground water entering the sanitary/combined sewer system. The revisions to the Village Code required input and approval from the Illinois Environmental Protection Agency. Such approval was received by the Village on August 8, 1996 following the final ordinance being approved by the Village Board on July 7, 1996. As part of the language approved by the IEPA, the 72 hour rule was included. A March 20, 1996 letter from the IEPA to the Village of Lombard stressed the need to ensure that no overflows or surcharging occurs during pumping operations.

Based upon the NPDES Permit and the IEPA review/approval process, the criticality of preventing combined sewer overflows is a significant issue for the Village to address. The development of the 72 hour rule provides a level of predictability that the East Branch of the DuPage River and the Salt Creek would have receded to a point where the additional flows in the sewer system could be handled. The Village's number one goal during and following a storm event is to control the water in such a manner as to avoid impacting downstream properties. As such, the 72 hour rule was put into place. Staff does not support any reduction in the timeframe relative to the pumping of depressional areas. These areas, based upon topography, have always held water and should continue to do so, in order to avoid backing up basements. The temporary detention of stormwater is a lesser concern than sewage back-ups in basements.

The staff recommends amending Village Board Policy 7.B. regarding private property flooding to modify the conditions during which the policy is activated and the inclusion of a map. Staff does not recommend amending Section 50.027 (E) to reduce the required 72 hours prior to pumping stormwater from a depressional area.



## VILLAGE OF LOMBARD

### VILLAGE BOARD POLICY MEMORANDUM

**Subject:** Public Works' Response to Private Property Flooding      **Section:** 7.B.  
**Dept.:** PW  
**Date:** December 2, 2010  
**Updated:**

#### I. Purpose

The purpose of this policy is to clarify the role of the Public Works Department in response to private property flooding. This policy was developed pursuant to the Village of Lombard 2002 Strategic Plan. The Public Works' Response to Private Property Flooding Policy shall be implemented when a "Flood ~~Watch~~Warning" is issued by National Weather Service for DuPage County.

#### II. Procedures/Guidelines

##### A. Sandbags

1. The Village of Lombard Public Works Department will provide a limited supply of sand and unfilled sandbags to private property owners during flood emergencies.
2. The Department will provide sand and unfilled sandbags to areas of the community on a request basis and to low-lying areas prone to flooding. These areas shall be designated by the Village and included in the attached map. These areas shall be reviewed and amended on an as needed by the Public Works Department following activation of the policy.
3. Sand and unfilled sandbags will be placed in the public right-of-way.
4. Residents will be responsible for filling and placing sandbags, as well as cleaning up sandbags and sand on their property after floods. Public Works will collect discarded sandbags from the curbside.
5. Delivery of sand and sandbags will be subject to availability of personnel, equipment and materials.

##### B. Private Property Pumping Services

The Department of Public Works will not perform private property pumping services or loan pumps to residents. However, Public Works will maintain and annually update a list of contractors that

may provide this service; and pump rental stores in the area. This list will be made available to residents upon request.

**III. Legislation/Documentation**

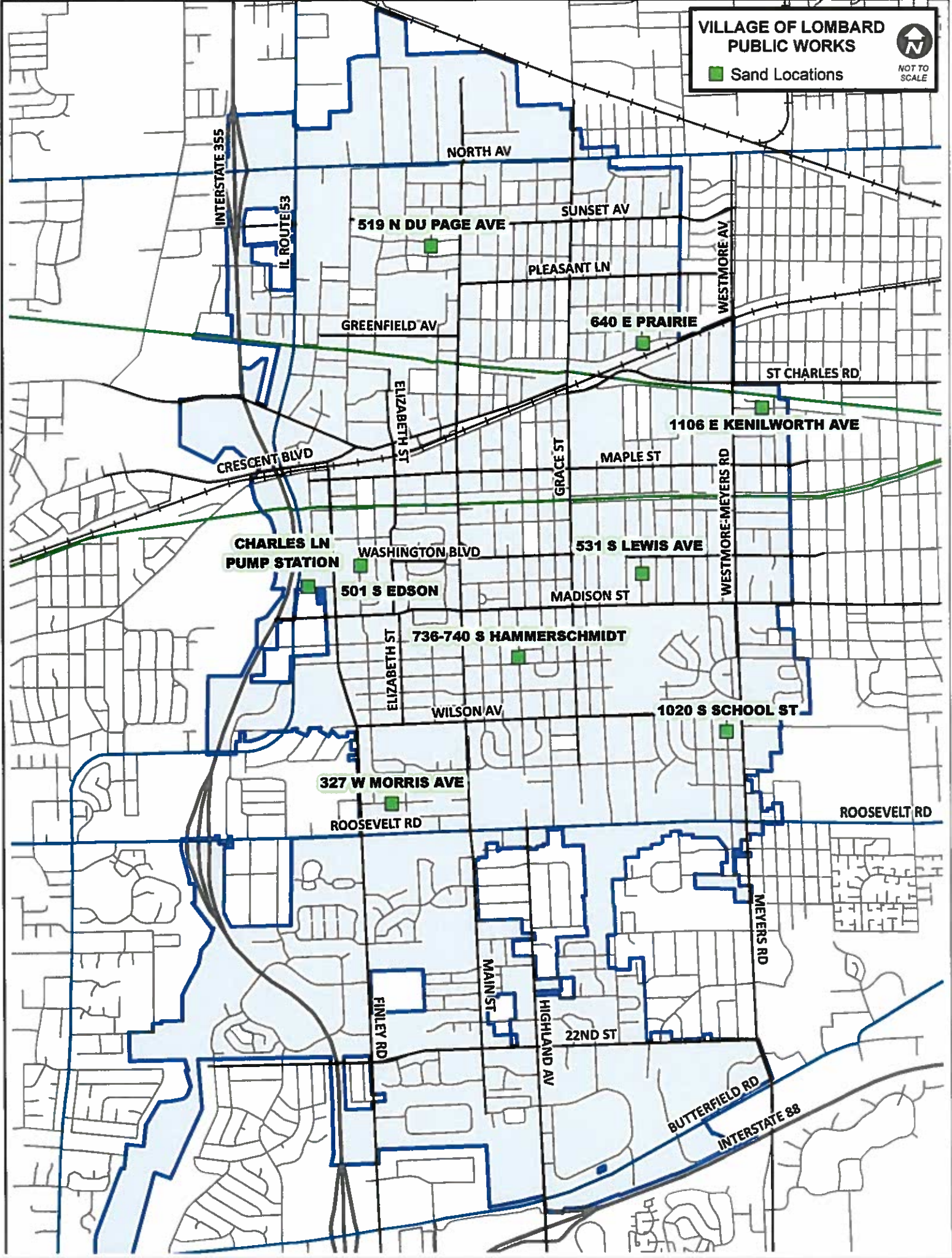
- A. Village of Lombard 2002 Strategic Plan
- B. Minutes of April 4, 2002 Board of Trustees meeting
- C. Minutes of May 14, 2002 Public Works Committee
- D. Minutes of June 6, 2002 Board of Trustees meeting
- E. Minutes of November 11, 2008 Public Works Committee

VILLAGE OF LOMBARD  
PUBLIC WORKS

Sand Locations



NOT TO SCALE



INTERSTATE 355

IL ROUTE 53

NORTH AV

519 N DU PAGE AVE

SUNSET AV

PLEASANT LN

GREENFIELD AV

640 E PRAIRIE

WESTMORE AV

ST CHARLES RD

1106 E KENILWORTH AVE

CRESCENT BLVD

ELIZABETH ST

GRACE ST

MAPLE ST

WESTMORE-MEYERS RD

CHARLES LN  
PUMP STATION

WASHINGTON BLVD

531 S LEWIS AVE

501 S EDSON

MADISON ST

ELIZABETH ST

736-740 S HAMMERSCHMIDT

WILSON AV

1020 S SCHOOL ST

327 W MORRIS AVE

ROOSEVELT RD

ROOSEVELT RD

FINLEY RD

MAIN ST

HIGHLAND AV

22ND ST

MEYERS RD

BUTTERFIELD RD

INTERSTATE 88

six-inch vitrified clay or six-inch ABS schedule SDR 23.5 buried in a minimum of four inches stone or a four-inch cast iron, service weight. A minimum slope of 1% and a maximum slope of 10% shall be maintained. The service line shall extend from the building to the sanitary sewer, where it shall be securely connected to the sanitary sewer. All methods of excavating, placing pipe, jointing, and back filling shall conform to the "Standard Specifications for Water and Sewer Main Construction in Illinois".

('70 Code, § 13.08.055) (Ord. 2797, passed 11-14-85) Penalty, see § 50.999

#### § 50.024 OVERHEAD SEWERS REQUIRED.

Overhead service lines are required for all structures which contain a basement or are constructed in a manner not considered as the slab method of construction, constructed after passage of this chapter. Overhead service lines will be required for any structure that has sanitary facilities or connections thereto in the building that is below the top of the rim of the nearest manhole of the sanitary sewer.

('70 Code, § 13.08.060) (Ord. 2797, passed 11-14-85) Penalty, see § 50.999

#### § 50.025 LIFTING MEANS.

In all buildings in which any service line is too low to permit gravity flow to the sanitary sewer, sanitary sewage carried by such service line shall be lifted by a means which is approved in accordance with federal standards promulgated pursuant to the federal act and any more stringent state and local standards, and discharged to the sanitary sewer.

('70 Code, § 13.08.065) (Ord. 2797, passed 11-14-85) Penalty, see § 50.999

#### § 50.026 PROHIBITED CONNECTIONS.

(A) No person shall make a connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface run-off or groundwater to a service line which in turn is connected, directly or indirectly, to a sanitary sewer, or combined sewer or otherwise to discharge to the POTW.

(B) No person shall maintain a connection of roof downspouts to a service line which is directly or indirectly connected into a sanitary or combined sewer or otherwise to discharge into the POTW.

(C) No person shall maintain any type of connection of exterior foundation drains, areaway drains, or other sources of surface run-off or ground water to a service line which is directly or indirectly connected into a sanitary sewer.

('70 Code, § 13.08.070) (Ord. 2797, passed 11-14-85) Penalty, see § 50.999

#### § 50.027 SUMP PUMP, DOWNSPOUT AND OTHER STORMWATER DISCHARGES

(A) For all habitable structures and business structures constructed after January 1, 1986, all building subsoil drain sump pump pipes that discharge outside of a building shall be connected to the separated storm sewer system wherever there is a separated storm sewer reasonably available for such connection as determined by the Director of Community Development.

(B) For all habitable structures and business structures, if a separated storm sewer is not reasonably available, all subsoil drain sump pump pipes that discharge outside of a building shall discharge:

- (1) on a grassed or landscaped area on the same property as the structure;

- (2) within fifteen (15) feet of the structure;
- (3) away from adjacent properties; and
- (4) in a manner so as to not cause a nuisance in the public right-of-way or to adjacent properties or in a manner as otherwise approved by the Director of Community Development.

(C) For all habitable structures and business structures, all downspouts shall discharge:

- (1) on a grassed or landscaped area on the same property as the structure; and
- (2) within fifteen (15) feet of the structure;
- (3) away from the adjacent properties; and
- (4) in a manner so as to not cause a nuisance in the public right-of-way or to adjacent properties or in a manner as otherwise approved by the Director of Community Development.

(D) Where a downspout or subsoil drain sump pump discharge pipe discharges above the grade level at the point of discharge, said discharge shall be onto splash blocks.

(E) Notwithstanding the requirements of 50.026, any person, but only one person from the area tributary to the common depressional storage area, may pump stormwater run-off from a common depressional storage area on private property toward a combined sewer subject to the following restrictions:

- (1) pumping may not commence or continue during a rainfall event;
- (2) pumping may not commence until seventy-two (72) hours after a rainfall event or until the Lombard Combined Sewage Treatment Facility has stopped discharging effluent to the East Branch of the DuPage River, whichever is longer;
- (3) the discharge point must be within fifteen (15) feet of the building structure, and in a manner so as to not cause a nuisance in the public right-of-way, or at the discretion of the Director of Community Development; and

- (4) no pumping rate can exceed 250 gallons per minute.

Notwithstanding the foregoing, pumping as described in this subsection (E) will be prohibited if combined sewer surcharges are induced from such pumping. In addition, the Village of Lombard reserves the right to further restrict the approved pumping rate in individual situations where it has been determined that the maximum rate will result in surcharging, sewer overflows, adverse health or environmental problems.

(F) In the event that any downspout(s) and/or subsoil drain sump pump discharge pipe(s) is/are found to not be in compliance with this Section, the owner of the property on which said downspout(s) and/or subsoil drain sump pump discharge pipe(s) is/are located shall, within one hundred eighty (180) days of receipt of a notice from the Village, advising said property owner of the noncompliance, bring said downspout(s) and/or subsoil drain sump pump discharge pipe(s) into compliance with this Section. Said one hundred eighty (180) day period may be shortened by the Director of Community Development, in the event the non-compliance with this Section presents an imminent threat to the health, safety and/or welfare of any person, or an imminent threat to the integrity of any building or structure, to such period of time as deemed reasonable to protect said person, building or structure. ('70 Code, § 13.08.075) (Ord. 2797, passed 11-14-85, Ord. 4190, passed 7/18/96; Ord. 6057, passed 06/21/07)

**§ 50.028 DESIGN CRITERIA.**

The connection of the service line into the sanitary sewer shall conform to the requirements of the state plumbing code, or other applicable rules and regulations of the village, or the procedures set forth in appropriate specifications of the "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. ('70 Code, § 13.08.080) (Ord. 2797, passed 11-14-85)



**§ 50.029 NOTICE OF CONNECTION.**

The applicant for the service line permit shall notify the head of Bureau of Inspectional Services when the service line is ready for inspection and connection to the sanitary sewer. The connection shall be made under the supervision of the head of Inspectional Services or his representative. ('70 Code, § 13.08.085) (Ord. 2797, passed 11-14-85)

**§ 50.030 CONSTRUCTION BARRICADES.**

All excavations for service line 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 village. ('70 Code, § 13.08.090) (Ord. 2797, passed 11-14-85) Penalty, see § 50.999

**§ 50.031 COST OF MAINTAINING SERVICE LINE.**

The cost of maintaining a service line shall be the property owner's responsibility unless otherwise stated in §§ 50.065 through 50.070. ('70 Code, § 13.08.095) (Ord. 2797, passed 11-14-85)

**§ 50.032 REQUIRED REPAIRS.**

Should the Director determine that a property owner's service line is contributing excessive infiltration or inflow of storm water to the service sewer, he shall direct the owner to repair or replace the sewer line, and the owner shall be responsible for the cost of such repair or improvement, except that cost which is the responsibility of the village under §§ 50.065 through 50.070. ('70 Code, § 13.08.100) (Ord. 2797, passed 11-14-85)

**§ 50.033 IEPA AUTHORIZED SIGNATORY**

For purpose of all Illinois Environmental Protection Agency sewer permit applications which require a signature on behalf of the Village, the Director of Public Works is hereby designated as the official authorized signatory for the Village. (Ord. 3818, passed 2/17/94)

***USE OF THE SANITARY SEWERS*****§ 50.035 PROHIBITED WASTE DEPOSITS.**

It shall be unlawful for any person to place or deposit, or permit to be deposited upon public or private property within the village or in any area under the jurisdiction of said village, in any unsanitary manner, any human or animal excrement, garbage, or other objectionable waste. ('70 Code, § 13.10.005) (Ord. 2797, passed 11-14-85) Penalty, see § 50.999

**§ 50.036 ILLICIT DISCHARGE DETECTION AND ELIMINATION RULES/REGULATIONS/REQUIREMENTS.**

- |   |  |
|---|--|
| <p>(A) No person shall place, drain, or otherwise discharge, cause, or allow others under their control to place, drain, or otherwise discharge into the storm drainage system or MS4 any pollutants or waters containing any pollutants, other than normal storm water unless specifically exempted in Section 50.036(C) of this Code.</p>   | <p>permit, including any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered by the USEPA and, or, IEPA.</p>   |
| <p>(B) The following discharges into the MS4 or the storm drainage system shall be prohibited: discharges that are not a direct result of precipitation and or snow melt within the drainage area of the MS4; and, discharges from an illicit connection.</p>   | <p>(4) Landscape irrigation water.</p> <p>(5) Rising ground waters.</p> <p>(6) Ground water infiltration.</p> <p>(7) Pumped ground water.</p> <p>(8) Discharges from potable water sources.</p> <p>(9) Foundation drains.</p> <p>(10) Air conditioning condensate.</p>   |
| <p>(C) The following discharges are exempt from discharge prohibitions established herein provided the Director determines they do not cause an adverse effect on water quality:</p> <p>(1) Discharges caused by governmental public works and stormwater management units as part of their standard operations in compliance with all applicable regulations.</p> <p>(2) Water line flushing and street wash water.</p> <p>(3) Discharges required by law or authorized by</p> | <p>(11) Irrigation water (except for wastewater irrigation).</p> <p>(12) Springs.</p> <p>(13) Water from crawl space pumps.</p> <p>(14) Footing drains.</p> <p>(15) Storm sewer cleaning water.</p> <p>(16) Water from any outdoor residential, charitable, or automobile dealership premise car wash.</p> <p>(17) Routine external building washdown which does not use detergents.</p> |

- (18) Flows from riparian habitats and wetlands. enumerated above.
- (19) Dechlorinated pH neutral swimming pool discharges.
- (20) Residual street wash water.
- (21) Discharges or flows from fire fighting activities.
- (22) Dechlorinated water reservoir discharges.
- (23) Pavement washwaters where spills or leaks of toxic of hazardous materials have not occurred (unless all spilled material has been removed).
- (24) Discharges associated with dye testing of water line, sanitary sewers, storm sewers, private drains or septic systems; however, this activity shall not take place until the discharger, or tester, has provided notification to the Department at least two (2) full business days prior to the test date, unless an emergency situation does not allow time for such notification.
- (25) Other discharges approved by the Director as being substantially like any of the discharge types
- (D) The construction, use, maintenance, or continued existence of illicit connections to the storm drainage system or MS4 is prohibited. Illicit connections made in the past are expressly prohibited, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- (E) Connections in violation of this Code must be disconnected and redirected, if necessary, to an approved onsite wastewater management system or the sanitary sewer system upon approval of the Director.
- (F) Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the storm sewer system or MS4, shall be located by the owner or occupant of that property upon receipt of written notice of violation from the Director requiring that such locating be completed. Such notice shall specify a reasonable time period within which the location of the drain or conveyance is to be determined, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system, MS4, sanitary sewer system, or other discharge point be identified. Results of these

May 24, 2013

Village of Lombard Board and Staff  
Public Works Department

Dear Notified Entities:

This letter is in response to the correspondence we received dated May 7<sup>th</sup> from Carl Goldsmith, Director of Public Works (see attached) addressing the concerns of the residents impacted by the Village of Lombard's "storm water collection site " located in the 100 blocks of S. Chase and Highland Ave., Lombard. After review of the bulleted items addressed by staff, I would point out that we are not in agreement with bulleted item number three concerning the duplexes located at 750 and 740 Maple Street and staff's opinion that these properties have no correlation on drainage of the impacted area. If these properties have no impact on the drainage, then we are requesting staff to answer the following:

- Why is the water that stands directly behind these properties the deepest area?
- Why is this point of the affected properties the area that fills first with water and then spreads over multiple properties?
- Why is it the last point to drain?

Please respond to these questions through written communication.

Additionally this letter is to notify you that the properties affected by this water are once again experiencing standing water from the recent rain of May 15, 2013 (*please see attached photo*). As I discussed at the Public Works meeting on May 14, 2013 *at this time* we are requesting the following:

- Further review of the above mentioned properties and the impact on the affected areas.
- Review of the Public Works policy on assistance with backyard pumping. This letter is to formally request that this policy be revisited by the Public Works committee/staff and revised to allow Public Works to provide assistance with pumping of the affected residents who are impacted with the Village of Lombard's storm water management on their private properties until a more permanent solution is found.
- Restored funding of the Gatz Pond Outfall/N. Broadway Pump Station projects to the CIP funding years 2014/2015.

Additionally we request the Public Works contact Clarke Mosquito Abatement services to abate in the affected areas as we are again experiencing dangerous standing water which will eventually be a breeding ground for the Culex mosquito, a known carrier of the West Nile Virus.

In conclusion, to those Village Board members who are new to their positions and may be unaware of this situation, we ask that you speak with staff, Trustees Fitzpatrick and Ware and Village President Giagnorio and inform yourselves to our situation. Until an agreed upon resolution by all parties to our situation is found, you will continue to receive communications from us. On a side note, I have looked for the posting of Public Works minutes and would request that someone please send me a link where I may access this information. I can FOIA, since this is a public entity, but this should be posted on your website and I am not finding it. A simple email with a link will suffice.

Thank you,  
Penny and Hank Chanez  
630-495-1097



State of Illinois  
**ENVIRONMENTAL PROTECTION AGENCY**

Mary A. Gade, Director

2200 Churchill Road, Springfield, IL 62794-9276

217/782-0610

August 8, 1996

Mr. Stan Rickard  
Director of Public Works  
Village of Lombard  
255 East Wilson Avenue  
Lombard, Illinois 60148-3926

Re: Revision to Village Sewer Use Ordinance

Dear Mr. Rickard:

I have received the sewer use ordinance revisions approved by the Lombard Board of Trustees on July 18, 1996 and incorporating the suggestions made in my letter to you of June 7, 1996.

Thank you for allowing the Agency's input in the revision process. If I can be of further assistance, please feel free to contact me at the above address or phone number.

Sincerely,

Dean J. Studer, P.E.  
Manager, Southern Municipal Unit  
Permit Section  
Division of Water Pollution Control

DJS:ds

cc: William T. Lichter, Village Manager

RECEIVED  
AUG 13 1996  
PUBLIC WORKS



August 15, 1996

**Public Works Engineering Staff**

Here is a copy of the revised sewer use ordinance regarding the introduction of clear water into public sewers. These changes were approved on July 18, 1996. The most significant change is paragraph "D" of section 50.027. This provision allows a person to dewater depressional storage from rear yards towards combined sewers by pumping. There are several conditions to be met before pumping can be done, however.

Please familiarize yourself with paragraph "D" in the event you receive an inquiry of this nature from a resident.

Finally, the Illinois Environmental Protection Agency, approved the language in paragraph "D".

Contact me anytime if you have questions about this matter.

Thanks!

A handwritten signature in black ink, appearing to be "Stan Rickard", with a horizontal line extending to the right.

Stan Rickard  
Director of Public Works

cc: William T. Lichter  
Jeff Coder  
Rob Flatter  
John Burg  
Angela Podesta ✓  
Dave Taylor

ORDINANCE NO. 4190

AN ORDINANCE AMENDING TITLE 5,  
CHAPTER 50 OF THE LOMBARD VILLAGE CODE  
IN REGARD TO CLEAR WATER DISCHARGES AND THE PUBLIC SEWERS

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

SECTION 1: That Title 5, Chapter 50, Section 50.001 of the Lombard Village Code is amended by adding the following sentence to the definition of "Service Line" contained therein:

"A sewer line connecting any roof downspouts, exterior foundation drains, areaway drains, or other sources of surface run-off or groundwater, directly or indirectly, to a public sewer"

SECTION 2: That Title 5, Chapter 50, Section 50.027 of the Lombard Village Code is amended to read in its entirety as follows:

"50.027 SUMP PUMP, DOWNSPOUT AND OTHER STORMWATER DISCHARGES

(A) For all habitable structures and business structures constructed after January 1, 1986, all building subsoil drain sump pump discharge pipes shall be connected to the storm sewer system wherever there is a storm sewer reasonably available for such connection as determined by the Director of Public Works.

(B) For all habitable structures and business structures constructed after September 1, 1996, if storm sewers are not reasonably available, all subsoil drain sump discharge pipes shall discharge on a grassed area at any point within fifteen (15) feet of the building structure, away from adjacent properties, and in a manner so as to not cause a nuisance in the public right-of-way, or at the discretion of the Director of Community Development.

(C) Notwithstanding the requirements of 50.026(A) and (B), for all habitable structures and business structures, all downspouts shall be directed away from adjacent properties. Downspouts discharging toward a combined sewer shall discharge onto splash blocks into a grassed area at any point within fifteen (15) feet of the building structure or at the discretion of the Director of Community Development.

(D) Notwithstanding the requirements of 50.026, any

person, but only one person from the area tributary to the common depressional storage area, may pump stormwater run-off from a common depressional storage area on private property toward a combined sewer subject to the following restrictions: (1) pumping may not commence or continue during a rainfall event; (2) pumping may not commence until seventy-two (72) hours after a rainfall event or until the Lombard Combined Sewage Treatment Facility has stopped discharging effluent to the East Branch of the DuPage River, whichever is longer; (3) the discharge point must be within fifteen (15) feet of the building structure, and in a manner so as to not cause a nuisance in the public right-of-way, or at the discretion of the Director of Public Works; and (4) no pumping rate can exceed 250 gallons per minute. Notwithstanding the foregoing, pumping as described in this subsection (D) will be prohibited if combined sewer surcharges are induced from such pumping. In addition, the Village of Lombard reserves the right to further restrict the approved pumping rate in individual situations where it has been determined that the maximum rate will result in surcharging, sewer overflows, adverse health or environmental problems."

SECTION 3: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 1996.

First reading waived by action of the Board of Trustees this 18th day of July, 1996.

Passed on second reading this 18th day of July, 1996.


AYES: TRUSTEES TROSS, KOENIG, JAUGILAS, GATZ & MACKETT

NAYS: NONE



ABSENT: TRUSTEE CARLSON



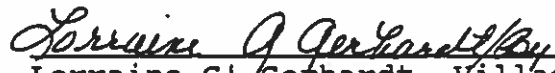

APPROVED by me this 18th day of July, 1996.

  
William J. Mueller  
Village President

ATTEST:

  
Lorraine G. Gerhardt  
Village Clerk   
Deputy Clerk

Published by me in pamphlet form this 22nd day of July,  
1996.

  
Lorraine G. Gerhardt, Village Clerk  
  
Deputy Clerk

APPROVAL AS TO FORM:

\_\_\_\_\_  
Thomas P. Bayer  
Village Attorney

IFTPB LOMBARD-ORDINANCES\A:\water.ord 7/15/96