

Chapter 19

WATER POLLUTION CONTROL

Current as of 2-22-08

Sections:

19.01	TITLE.
19.02	DEFINITIONS.
19.03	DISPOSITION OF WASTES.
19.04	POLLUTING WATERS.
19.04-5	STORM SEWER CONNECTION PROHIBITED.
19.05	PRIVATE DISPOSAL SYSTEMS.
19.06-1	SUBSTANDARD SANITARY SEWER SERVICE.
19.07	NEW HOUSING FACILITIES, APPROVAL.
19.08	PRIVATE SEWAGE TREATMENT WORKS.
19.09	CHANGING CONNECTION TO PUBLIC SEWER SYSTEM.
19.10	SANITARY OPERATION OF PRIVATE WORKS.
19.11	INDUSTRIAL WASTES.
19.12	EFFECT OF REGULATIONS.
19.13	PENALTIES.
19.14	ILLICIT DISCHARGE AND CONNECTION TO STORM SEWER SYSTEM

19.01 TITLE.

This Chapter shall be known, cited and referred to as "The DeKalb Water Pollution Control Ordinance."

19.02 DEFINITIONS.

For the purpose of this Chapter, whenever any of the following words, terms or definitions are used herein, they shall have the meaning ascribed to them in this Section.

"Pollution" means such alteration of the physical, chemical or biological properties of any waters of the City, or such discharge of any liquid, gaseous or solid substance into any waters of the City as will or is likely to create a nuisance or render such waters harmful or detrimental or injurious to public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational or other legitimate uses, or to livestock, wild animals, birds, fish or other aquatic life.

"Sewage" or "sewerage" shall mean the water carried human or animal wastes from residences, buildings, industrial establishments or other places together with such ground water infiltration and surface water as may be present. The admixture of sewage or sewerage as above defined with industrial wastes or other wastes as hereafter defined, shall also be considered "sewage" or "sewerage".

"Industrial waste" means any liquid, gaseous, solid or other waste substance or a combination thereof resulting from any process of industry, manufacturing trade or business or from the development, processing

Municipal Code - City of DeKalb
Chapter 19, "Water Pollution Control"

or recovery of any natural resources.

"Sanitary sewer system" or "sanitary sewerage system" shall mean pipe lines or conduits, sanitary pumping stations, sanitary force mains, constructed drainage ditches, surface water intercepting ditches, and all other constructions, devices, and appliances appurtenant thereto, used for collecting or conducting sewage, industrial waste or other wastes to a point of ultimate disposal at an approved sewage treatment works.

"Other wastes" means garbage, refuse, wood residues, sand, lime, cinders, ashes, offal, night soil, silt, oil, tar, dye stuffs, acids, chemicals and all other substances not sewage or industrial waste which may cause, or tend to cause pollution, or contribute to the pollution of the waters of the City.

"Sewage treatment works" means any method, construction device or appliance appurtenant thereto installed for the purpose of treating, neutralizing, stabilizing, disinfecting or disposing of sewage, industrial waste or other wastes, or for the recovery of by-products from such sewage, industrial waste or other wastes.

"Sewage works" or "building sewer" shall mean individually or collectively those constructions or devices used for collecting, pumping, and disposing of sewage, industrial waste or other wastes or for the recovery of by-products from such sewage, industrial waste or other wastes.

"Water of the City" means all accumulations of water, surface and underground, natural or artificial, public or private or parts thereof, which are wholly or partially within, flow through, or border upon this City or within its jurisdiction.

"Person" or "persons" shall mean any individual, public or private corporation, political subdivision, sanitary district, government agency, municipality, public or private institution, industry, co-partnership, association, firm, trust, estate or any other entity whatsoever.

"Commission" means the Air and Water Pollution Control Commission created by Ordinance 68-22 of the City of DeKalb. (Section 3.55 and 3.36 of DeKalb Municipal Code).

19.03 DISPOSITION OF WASTES.

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 of DeKalb, or in any area or waters of the City under the jurisdiction of said City, any human or animal excrement, sewage, industrial waste, garbage or other objectionable waste.

19.04 POLLUTING WATERS.

It shall be unlawful to discharge to any waters of the City of DeKalb, or in any area under the jurisdiction of said City, any sewage or other polluted waters.

19.04-5 STORM SEWER CONNECTION PROHIBITED.

It shall be unlawful for any person, firm, or corporation to connect, cause to be connected, or permit to remain connected, any drain carrying, any toilet, sink, basement, septic tank, cesspool, industrial waste, or any fixture or device discharging polluting substances, to any storm sewer drain in the City of DeKalb. (85-11)

19.05 PRIVATE DISPOSAL SYSTEMS.

Municipal Code - City of DeKalb
Chapter 19, "Water Pollution Control"

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.

19.06-1 SUBSTANDARD SANITARY SEWER SERVICE.

a) Determination of substandard sanitary sewer lines and/or connections. The Director of Public Works may cause to be made visual inspections of sanitary sewer service lines and connections whenever reconstruction of the street lying adjacent to the private property whose line is being inspected is taking place. Said visual inspection shall ascertain whether the sanitary sewer service line and/or connection is deteriorated and in need of repair or constructed of materials that are no longer permitted under the City of DeKalb, Municipal Code, Chapter 26, "Plumbing Regulations", Section 26.02, "Deletions and Additions to the 1978 BOCA Basic Plumbing Code".

b) Declaration of substandard sanitary sewer service line and/or connection. Upon the visual inspection specified above, the Director of Public Works, or his designee, shall declare a sanitary sewer service line and/or connection substandard if said visual inspection reveals that:

1. The sanitary sewer service line and/or connection is deteriorated and in need of repair or replacement.

2. The sanitary sewer service line and/or connection is constructed of materials that are no longer permitted under the City of DeKalb, Municipal Code, Chapter 26, "Plumbing Regulations", Section 26.02, "Deletions and Additions to the 1978 BOCA Basic Plumbing Code".

c) Replacement of substandard sanitary sewer service lines and/or connections. Upon a declaration that a sanitary sewer service line and/or connection is substandard, the Director of Public Works, or his designee, shall, within twenty-four (24) hours after said declaration, notify the property owner in writing that said property owner's sanitary sewer service line and/or connection has been declared to be substandard and the reason or reasons for said declaration. Said property owner shall have said sanitary sewer service line and/or connection repaired or replaced within five (5) calendar days from the date that the sanitary sewer service line and/or connection was declared to be substandard by the Director of Public Works. Said repair or replacement shall conform to the specifications set forth in the City of DeKalb Municipal Code, Chapter 26, "Plumbing Regulations".

d) If said property owner does not have the sanitary sewer service line and/or connection declared to be substandard replaced within five (5) calendar days from the date of the declaration that said line and/or connection is substandard, the City of DeKalb shall proceed to replace said sanitary sewer service line and/or connection and shall bill the owner of the property whose line and/or connection is being replaced for the cost of said repair or replacement. The property owner shall have thirty (30) days to remit payment for the cost of replacing said sanitary sewer service line and/or connection to the City of DeKalb unless an acceptable plan for repayment is otherwise approved by the City Manager of the City of DeKalb. If said property owner does not remit payment for the cost of said replacement to the City of DeKalb within thirty (30) days after being billed for said costs, and has not made other arrangements with the City Manager of the City of DeKalb for repayment of said cost, the City of DeKalb may proceed to file a lien on said property of the owner in the office of the DeKalb County Recorder in the amount of the cost of the repair or replacement. (83-28)

19.07 NEW HOUSING FACILITIES, APPROVAL.

No new subdivision or portion thereof under the jurisdiction of the City shall be sold, offered for sale, leased or rented by any person and no permanent building shall be erected thereon until a plan of such

subdivision shall be approved by the Commission. Such plan shall show methods of obtaining and furnishing adequate and satisfactory water supply and sewage facilities to said subdivision. The installation of such facilities shall be in accordance with the plans or revisions thereof approved by the Commission.

19.08 PRIVATE SEWAGE TREATMENT WORKS.

a) Where a public sanitary sewer system is not available under the provisions of Section 19.06 the building sewer shall be connected to a private sewage treatment works complying with the provisions of this Chapter.

b) Before commencement of construction of a private sewage treatment works the owner shall first obtain a written permit signed by the Commission. 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 are deemed necessary by the Commission. A permit and inspection fee shall be paid to the City at the time the application is filed.

c) A permit for the operation of a private sewage treatment works shall not become effective until the installation is completed to the satisfaction of the Commission. The City of DeKalb shall be allowed to inspect the work at any stage of construction and the applicant for the permit shall notify the City when the work is ready for final inspection. Before any underground portions are covered, the City of DeKalb shall inspect and approve the system.

d) No permit shall be issued for the construction of any private sewage treatment works unless the type, capacities, location and layout of the private sewage treatment works comply with all recommendations of the Illinois Department of Public Health.

19.09 CHANGING CONNECTION TO PUBLIC SEWER SYSTEM.

At such time as a public sanitary sewer system becomes available to a property served by a private sewage treatment works, as provided in Section 19.06, a direct connection shall be made to the public sanitary sewer system in compliance with this Chapter, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned, cleaned of sludge and filled with clean bank-run gravel or dirt.

19.10 SANITARY OPERATION OF PRIVATE WORKS.

The owner shall operate and maintain the private sewage treatment works in a sanitary manner at all times, at no expense to the City.

19.11 INDUSTRIAL WASTES.

The owner of any property serviced by a sewage works carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the sewage works to facilitate observation, sampling and measurement of the wastes. Such manhole shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Commission. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible to the City at all times.

19.12 EFFECT OF REGULATIONS.

No statement contained in this chapter shall be construed to interfere with any additional requirements that may be imposed by the Health Officer of the City of DeKalb.

19.13 PENALTIES.

Any person found guilty of violating, disobeying, omitting, neglecting or refusing to comply with any of the provisions of this Chapter 19, shall be fined not less than Twenty Dollars (\$20.00) nor more than Five Hundred Dollars (\$500.00). A separate and distinct offense shall be regarded as committed each day on which such person shall continue or permit any such violation or failure to comply is permitted to exist after notification thereof. Prosecutions under this Chapter 19 shall be instituted by the Commission, its duly authorized representative or the City Council and shall be prosecuted in the name of the City. (86-32)

19.14 ILLICIT DISCHARGE AND CONNECTION TO STORM SEWER SYSTEM (08-18)

a) Definitions. For the purposes of this Section, the following shall mean:

Best Management Practices (BMPs). Schedules of activities, prohibitions of practices, general good house keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to storm water, receiving waters, or storm water conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

Clean Water Act. The federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

Construction Activity. Activities subject to NPDES Construction Permits. These include construction projects resulting in land disturbance of one acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Hazardous Materials. Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Illegal Discharge. Any direct or indirect non-storm water discharge to the storm drain system, except as exempted in Subsection f) of this Section.

Illicit Connections. An illicit connection is defined as either of the following:

1. Any drain or conveyance, whether on the surface or subsurface that allows an illegal discharge to enter the storm drain system including but not limited to any conveyances that allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency or,
2. Any drain or conveyance connected from a commercial or industrial land use to the storm drain system that has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

Municipal Code - City of DeKalb
Chapter 19, "Water Pollution Control"

Industrial Activity. Activities subject to NPDES Industrial Storm Water Permits as defined in 40 CFR, Section 122.26 (b)(14).

Municipal Separate Storm Sewer System (MS4). The system of conveyances (including sidewalks, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned and operated by the City of DeKalb and designed or used for collecting or conveying storm water, and that is not used for collecting or conveying sewage.

National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit. means a permit issued by EPA (or by a State under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-Storm Water Discharge. Any discharge to the storm drain system that is not composed entirely of storm water.

Person. Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

Pollutant. Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

Premises. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Storm Drainage System. Publicly-owned facilities by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

Storm Water. Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Storm Water Management Plan. A document which describes the Best Management Practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to Storm Water, Storm Water Conveyance Systems, and/or Receiving Waters to the Maximum Extent Practicable.

Wastewater. Any water or other liquid, other than uncontaminated storm water, discharged from a facility.

b) Applicability. This Section shall apply to all water entering the storm drain system generated on any developed and undeveloped lands unless explicitly exempted by the Director of Public Works or Director of Engineering.

Municipal Code - City of DeKalb
Chapter 19, "Water Pollution Control"

c) Responsibility for Administration. The City of DeKalb through its Director of Public Works or Director of Engineering as so designated shall administer, implement, and enforce the provisions of this Section. Any powers granted or duties imposed upon the City of DeKalb may be delegated in writing by the Directors of the Public Works or Engineering to persons or entities acting in the beneficial interest of or in the employ of the agency.

d) Compatibility with other Regulations. This Section is not intended to modify or repeal any other ordinance, rule, regulation, or other provision of law. The requirements of this Section are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this Section imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

e) Ultimate Responsibility. The standards set forth herein and promulgated pursuant to this Section are minimum standards; therefore this Section does not intend or imply that compliance by any person will ensure that there will be no contamination, pollution, or unauthorized discharge of pollutants.

f) Prohibition of Illegal Discharges. No person shall throw, drain, or otherwise discharge, cause, or allow others under its control to throw, drain, or otherwise discharge into the MS4 any pollutants or waters containing any pollutants, other than storm water. The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited except as described as follows:

1. The following discharges are exempt from discharge prohibitions established by this Section: water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration, uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, de-chlorinated swimming pool discharges, and street wash water.

2. Discharges or flow from firefighting, and other discharges specified in writing by the City of DeKalb Public Works Department as being necessary to protect public health and safety.

3. Discharges associated with dye testing, however this activity requires a verbal notification to the City of DeKalb Public Works Department prior to the time of the test.

4. The prohibition shall not apply to any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the United States Environmental Protection Agency (EPA), provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

g) Prohibition of Illicit Connections.

1. The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.

2. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

Municipal Code - City of DeKalb
Chapter 19, "Water Pollution Control"

3. A person is considered to be in violation of this Section if the person connects a line conveying sewage to the MS4, or allows such a connection to continue notwithstanding any outstanding DeKalb Sanitary District orders of violation correction or continuance.

4. Improper connections in violation of this Section must be disconnected and redirected, if necessary, to an approved onsite wastewater management system or the sanitary sewer system upon approval of the DeKalb Sanitary District.

h) Watercourse Protection. Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

i) Industrial or Construction Activity Discharges. Submission of NOI to City of DeKalb. Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the City of DeKalb prior to the allowing of discharges to the MS4.

j) Compliance Monitoring. Right of Entry: Inspection and Sampling. The City of DeKalb shall be permitted to enter and inspect facilities subject to regulation under this Section as often as may be necessary to determine compliance with this Section.

1. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the City of DeKalb.

2. Facility operators shall allow the City of DeKalb ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge storm water, and the performance of any additional duties as defined by state and federal law.

3. The City of DeKalb has the right to require the discharger 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 discharger at its own expense. All devices used to measure storm water flow and quality shall be calibrated to ensure their accuracy.

4. 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 operator at the written or oral request of the City of DeKalb and shall not be replaced. The costs of clearing such access shall be borne by the operator.

5. Unreasonable delays in allowing the City of DeKalb access to a permitted facility is a violation of a storm water discharge permit and of this Section. A person who is the operator of a facility with an NPDES permit to discharge storm water associated with industrial activity commits an offense if the person denies the City of DeKalb reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this Section.

k) Notification of Spills. Notwithstanding other requirements of law, as soon as any person responsible for

Municipal Code - City of DeKalb
Chapter 19, "Water Pollution Control"

a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into storm water, the storm drain system, or waters of the United States, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the City of DeKalb in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the City of DeKalb within 3 business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least 3 years. Failure to provide notification of a release as provided above is a violation of this Section.

l) Violations, Enforcement, and Penalties. Notice of Violation. Whenever the City of DeKalb finds that a person has violated a prohibition or failed to meet a requirement of this Section, the City of DeKalb may order compliance by written notice of violation to the responsible person. The Notice of Violation shall contain:

1. The name and address of the alleged violator;
2. The address when available or a description of the building, structure or land upon which the violation is occurring, or has occurred;
3. A statement specifying the nature of the violation
4. A description of the remedial measures necessary to restore compliance with this Section and a time schedule for the completion of such remedial action;
5. A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed;
6. A statement that the determination of violation may be appealed to the City of DeKalb by filing a written notice of appeal within 30 days of service of notice of violation; and
7. A statement specifying that, should the violator fail to restore compliance within the established time schedule, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator.

m) Such notice may require without limitation:

1. The performance of monitoring, analyses, and reporting;
2. The elimination of illicit connections or discharges;
3. That violating discharges, practices, or operations shall cease and desist;
4. The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property

Municipal Code - City of DeKalb
Chapter 19, "Water Pollution Control"

5. Payment of a fine to cover administrative and remediation costs; and

6. The implementation of source control or treatment BMPs.

n) Suspension due to Illicit Discharges in Emergency Situations. The City of DeKalb may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the City of DeKalb may take such steps as deemed necessary to prevent or minimize damage to the MS4 or waters of the United States, or to minimize danger to persons.

o) Suspension due to the Detection of Illicit Discharge. Any person discharging to the MS4 in violation of this Section may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The City of DeKalb will notify a violator of the proposed termination of its MS4 access. The violator may petition the City of DeKalb for a reconsideration and hearing. A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the City of DeKalb.

p) Penalty for Violation. Any person found in violation of this Section shall be fined not less than Seventy-Five Dollars (\$75.00), nor more than Seven Hundred Fifty Dollars (\$750.00). Any person may also be assessed any and all remediation costs as an additional penalty. Each day that a violation of this Section is permitted to exist shall constitute a separate offense.

q) Appeal of Notice of Violation. Any person receiving a Notice of Violation may appeal the determination of the City of DeKalb. The notice of appeal must be received within 14 days from the date of the Notice of Violation. Hearing on the appeal before the City of DeKalb Administrative Hearing Officer or his/her designee shall take place within 30 days from the date of receipt of the notice of appeal, when practicable. The decision of the municipal authority or their designee shall be final.

r) Enforcement Measures after Appeal. If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal, within 90 days of the decision of the municipal authority upholding the decision of the City of DeKalb, then representatives of the City of DeKalb shall enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.

s) Cost of Abatement of the Violation. Within 30 days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the amount of the assessment within 30 days. If the amount due is not paid within a timely manner as determined by the decision of the municipal authority or by the expiration of the time in which to file an appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.

Any person violating any of the provisions of this article shall become liable to the City of DeKalb by reason of such violation. The liability shall be paid in not more than 24 equal payments. Interest at the rate of 4 percent per annum shall be assessed on the balance beginning on the 61st day following discovery of the violation.

Municipal Code - City of DeKalb
Chapter 19, "Water Pollution Control"

t) Violations Deemed a Public Nuisance. In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this Section is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

u) Remedies not Exclusive. The remedies listed in this Section are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the City of DeKalb to seek cumulative remedies.

v) The City of DeKalb may recover all attorneys' fees, court costs and other expenses associated with enforcement of this Section, including sampling and monitoring expenses.