

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Private Sewage Disposal Licensing Act is  
5 amended by changing Section 10 as follows:

6 (225 ILCS 225/10) (from Ch. 111 1/2, par. 116.310)

7 Sec. 10. (a) This Act does not prohibit the enforcement of  
8 ordinances of units of local government establishing a system  
9 for the regulation and inspection of private sewage disposal  
10 contractors and a minimum code of standards for design,  
11 construction, materials, operation and maintenance of private  
12 sewage disposal systems, for the transportation and disposal of  
13 wastes therefrom and for private sewage disposal systems  
14 servicing equipment, provided such ordinance establishes a  
15 system at least equal to state regulation and inspection.

16 Such units of local government who wish to be approved,  
17 shall submit a copy of such ordinance including all amendments  
18 to the Department requesting approval for such system of  
19 regulation and inspection. If such plan is approved by the  
20 Department the ordinance shall prevail in lieu of the state  
21 licensure, fee and inspection program, and the Department shall  
22 issue written approval. Not less than once each year the  
23 Department shall evaluate the program to determine whether such

1 program is being operated in accordance with the approved  
2 provisions of existing ordinances. If the Department finds  
3 after investigation that such program is not in accordance with  
4 the approved program or is not being enforced, the Director  
5 shall give written notice of the findings to the chief  
6 administrative officer of such unit of local government. If the  
7 Department thereafter finds, not less than 30 days after the  
8 giving of such notice that the program is not being conducted  
9 in a manner consistent with existing ordinances, the Director  
10 shall give written notice of such findings to the chief  
11 administrative officer of the unit of local government, and  
12 after administrative hearing as provided in this Act, all  
13 persons then operating under such unit of local government  
14 shall be immediately subject to the state licensure, fee and  
15 inspection program.

16 (b) This Act does not prohibit the enforcement of  
17 ordinances of units of local government that require homeowners  
18 who maintain a private sewage disposal system within the unit  
19 of local government to provide verification, no more frequently  
20 than once every 3 years, to the unit of local government of a  
21 valid contract with a licensed private sewage disposal system  
22 installation contractor. However, no additional fee may be  
23 charged for such verification.

24 (Source: P.A. 78-812.)

25 Section 99. Effective date. This Act takes effect upon  
26 becoming law.