



Sen. David Koehler

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LRB095 04322 RAS 32093 a

1 AMENDMENT TO SENATE BILL 1174

2 AMENDMENT NO. _____. Amend Senate Bill 1174 by replacing
3 everything after the enacting clause with the following:

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,

1 shall submit a copy of such ordinance including all amendments
2 to the Department requesting approval for such system of
3 regulation and inspection. If such plan is approved by the
4 Department the ordinance shall prevail in lieu of the state
5 licensure, fee and inspection program, and the Department shall
6 issue written approval. Not less than once each year the
7 Department shall evaluate the program to determine whether such
8 program is being operated in accordance with the approved
9 provisions of existing ordinances. If the Department finds
10 after investigation that such program is not in accordance with
11 the approved program or is not being enforced, the Director
12 shall give written notice of the findings to the chief
13 administrative officer of such unit of local government. If the
14 Department thereafter finds, not less than 30 days after the
15 giving of such notice that the program is not being conducted
16 in a manner consistent with existing ordinances, the Director
17 shall give written notice of such findings to the chief
18 administrative officer of the unit of local government, and
19 after administrative hearing as provided in this Act, all
20 persons then operating under such unit of local government
21 shall be immediately subject to the state licensure, fee and
22 inspection program.

23 (b) This Act does not prohibit the enforcement of
24 ordinances of units of local government that require homeowners
25 who maintain a private sewage disposal system within the unit
26 of local government to provide verification, no more frequently

1 than once every 3 years, to the unit of local government of a
2 valid contract with a licensed private sewage disposal system
3 installation contractor. However, no additional fee may be
4 charged for such verification.

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

6 Section 99. Effective date. This Act takes effect upon
7 becoming law."