



ASSE ILLINOIS CHAPTER MONTHLY NEWS LETTER

CHICAGO WATER TOWER

Volume 44 Issue 10 for November 2020

Published by: Gary W. Howard



The Wrigley Building

*A LICENSED PLUMBER WILL ALWAYS OUT PERFORM
AN UNLICENSED HANDYMAN BUT WILL NEVER TRY TO UNDERBID THEM*

***Voted Best Newsletter by IAPMO/ASSE International
2020***

HAPPY THANKSGIVING FROM MY FAMILY TO YOUR FAMILY



Pediatric psychology was “unofficially” founded by Lightner Witmer during the early 1900s. However, it was not “officially” recognized by American Psychological Association until 1968. Lightner Witmer, often referred to as the “Father of Clinical Psychology,” spent the majority of his early years of practice working with medical doctors in an effort to find effective ways to manage and/or improve child behaviors.

Pediatric psychology (a combination of medicine and psychology) is considered a “slow progressing” discipline. The goal of pediatric psychology is to promote the health, well-being, and development of adolescents (i.e. children, pre-teens, and teens) and their families. Evidence-based methods are typically used to assist this process.

To keep Witmers legacy alive one of our members Daughter, Kaitlyn Flader Daughter of Patrick Flader has won the Florence Flader Memorial Scholarship from ASSE International and will attend Western Michigan University with a Major in Pediatric Psychology with a minor in Criminal Justice. From all the members of ASSE Congratulations to Ms. Kaitlyn Flader. Patrick Flader is the owner of PJJ Plumbing & Heating. “Kalamazoo watch out Kaitlyn is on her way”



PRESIDENTS MESSAGE

It is with deep sadness that the Membership of the Illinois Chicago Chapter of American Society of Sanitary Engineering, has received notice of three of our members have received their calling from our Lord Jesus Christ. Our friends have completed their journey to unity. Our membership joins in the families of Jack (Jake) P. Noonan, John M. Khym and William (Bill) Kostock we join with the families and faithful friends as they remember and give thanks for the life their loved ones lived.

All our past members had to endure to get to the other side and meet their Angel in heaven cannot be without sorrow. This grief is not an element of completion for the families but something they had to endure. An alteration of a loved one today and a loved one in heaven the next is heart wrenching. The families will now complete their journey without the warm touch of a loved one, in doing so they will rejoice a new explanation of self being. I do apologies for the delay on not knowing about some members passing.



President,
Gary W. Howard

WHAT HAVE TOILETS GOT TO DO WITH CLIMATE CHANGE?

Flood, drought and rising sea levels threaten sanitation systems – from toilets to septic tanks to treatment plants. Everyone must have sustainable sanitation that can withstand climate change and keep communities healthy and functioning.

#WorldToiletDay

ASSE International Enters into License Agreement with Standards Institution of Israel

Posted 03 Aug 2020

Tagged on ASSE



ASSE International and the Standards Institution of Israel (SII) have entered into an agreement for SII to license two ASSE standards for adoption in Israel. This agreement will allow SII to easily adopt ASSE standards for the Israel market, preventing the need for the development of duplicative international standards.

The agreement is initially for two standards: ASSE 1055-2018, *Performance Requirements for Chemical Dispensing Systems with Integral Backflow Protection*, and ASSE 1030-2016, *Performance Requirements for Positive Pressure Reduction Devices for Sanitary Drainage Systems*.

The agreement, which will automatically renew annually after the first three years, calls for SII to prepare its standards in Tel Aviv, Israel, distribute copies of them to the public by sale, rental, lease or lending, and publicly display them.

“Having uniform global standards for the plumbing and water treatment industry is a longstanding goal for ASSE International,” ASSE Executive Director Tom Palkon said. “This agreement with SII will help the industry by not requiring duplicative standards and regulatory requirements.”

ABOUT SII

The Standards Institution of Israel leads the Israeli economy in the writing of standards that ensure the safety and soundness of products, laboratory testing, services, and processes that touch on all aspects of people's lives. SII is part of the international quality community and an active member in international standards and certification organizations, including the International Electrotechnical Commission (IEC) and the International Organization for Standardization (ISO). SII also has recognition agreements that facilitate foreign trade.



INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS

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IAPMO Supports Establishment of Water Subcabinet

Washington, D.C. (Oct. 22, 2020) — The International Association of Plumbing and Mechanical Officials (IAPMO), publisher of the Water Efficiency and Sanitation Standard (WE•Stand), an American National Standard since 2017, applauds the U.S. Environmental Protection Agency (EPA) and its federal partners in the creation of a new Water Subcabinet chaired by the secretary of the Interior and EPA administrator.

EPA recently announced designees for the Water Subcabinet established by the “Modernizing America’s Water Resource Management and Water Infrastructure” executive order signed on Oct. 13. The Water Subcabinet will be responsible for implementing the strategic direction and specific actions of the executive order to improve federal water infrastructure and prioritize access to essential water supplies for all Americans, goals in line with WE•Stand as well as IAPMO’s recent work with the American Water Works Association (AWWA) developing protocols for water infrastructure impacted by the COVID-19 pandemic.

The Water Subcabinet will bring a finer focus and greater efficiency to the federal government’s efforts to ensure all Americans have access to safe drinking water, reliable rural and farm water supplies, and clean water for recreation and enjoyment — goals made even more timely by Wednesday’s celebration of Imagine a Day Without Water, the national education campaign highlighting water’s essential nature. IAPMO supports these efforts and encourages the designees to consider WE•Stand as a means of achieving their goals.

“For many years, the federal government’s efforts on water policy have been separated across many agencies,” said Dain Hansen, IAPMO executive vice president of Government Relations. “The United States faces a wide variety of challenges in the water sector, from water quality and scarcity to aging infrastructure and affordability. These issues not only threaten public health but are already impacting it. This new cross-agency subcabinet represents a significant step forward in coordinating the federal resources focused on these complex water challenges. We hope this effort will continue to be refined and grow beyond this year’s presidential election.”

Under the executive order, the Water Subcabinet will improve water infrastructure planning by promoting integrated planning and coordination for drinking water, wastewater, water reuse, water storage and delivery, and water resource management.

As a leader in developing resources designed to meet the unique challenges faced by communities in America, IAPMO applauds this effort. The 2020 WE•Stand contains the most progressive provisions available related to water reuse, and in particular the onsite use of grey and black water. Its updated pipe sizing requirements alone promise to deliver the greatest cost savings of any other provision in decades. Additionally, earlier this month IAPMO and AWWA published *Responding to Stagnation in Buildings with Reduced or No Water Use*, a guide providing building managers a decision-making framework to design responses to building water stagnation caused by underuse during the pandemic.

For more information, contact Hansen at (202) 445-7514 or dain.hansen@iapmo.org.



Sponsor of the Uniform Codes, IAPMO® – The International Association of Plumbing and Mechanical Officials – works in concert with government and industry for safe, sanitary plumbing and mechanical systems. Learn more about IAPMO at www.iapmo.org.

AMERICAN SOCIETY OF SANITARY ENGINEERING ILLINOIS CHICAGO CHAPTER SANITATION NEWS LETTER

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Published in cooperation with members of ASSE, Editor: Gary W. Howard

Past ASSE Illinois Chapter President Michael M. McGaughan and I were discussion this issue on Oct. 28th at a Continuing Education class. I thought it would be good for the masses also.

- - [Supreme Court](#)
-

266 U.S. 405

45 S.Ct. 176

69 L.Ed. 352

SANITARY DIST. OF CHICAGO

v.

UNITED STATES.

No. 161.

Argued Dec. 8, 9, 1924.

Decided Jan. 5, 1925.

Mr. Justice HOLMES delivered the opinion of the Court.

1

This is a bill in equity brought by the United States to enjoin the Sanitary District of Chicago, a corporation of Illinois, from diverting water from Lake Michigan in excess of 250,000 cubic feet per minute; the withdrawal of that amount having been authorized by the Secretary of War. It is alleged that the withdrawal of more, viz., from 400,000 to 600,000 cubic feet per minute, has lowered and will lower the level of the water of Lake Michigan, Lake Huron, Lake St. Clair, Lake Erie, Lake Ontario, Sault Ste Marie, St. Mary's River, St. Clair River, Detroit River, Niagara River, St. Lawrence River, and all the harbors, etc., connected therewith, all of which are alleged to be navigable waters of the United States, and will thus create an obstruction to the navigable capacity of said waters; and that it will alter and modify the condition and capacity of the above named and their ports, etc., connected with them. The prohibition of such alterations and obstructions in the Act of March 3, 1899, c. 425, § 10, [30 Stat. 1121](#), 1151 (Comp. St. § 9910), is set out at length and relied upon but the frame of the bill does not exclude a reliance upon more general principles if they were needed in order to maintain it.

2

The withdrawal practised and threatened is through an artificial channel that takes the place of the Chicago River, formerly a little stream flowing into Lake Michigan, and of a part of its branches. The channel instead of adding water to the Lake has been given an opposite incline, takes its water from the Lake, flows into the Desplaines River, which empties into the Illinois River, which in its turn empties into

the Mississippi. The channel is at least twenty-five feet deep and at least one hundred and sixty-two feet wide; and while its interest to the defendant is primarily as a means to dispose of the sewage of Chicago, *Missouri v. Illinois*, 200 U. S. 496, 26 S. Ct. 268, 50 L. Ed. 572, it has been an object of attention to the United States as opening water communication between the Great Lakes and the Mississippi and the Gulf.

3

The answer shows that the defendant is proceeding under a state act of May 29, 1889 (Laws 1889, p. 125), by which it was provided that a channel should be made of size sufficient to take care of the sewage and drainage of Chicago as the increase of population might require, with a capacity to maintain an ultimate flow of not less than 600,000 cubic feet of water per minute, and a continuous flow of not less than 20,000 cubic feet for each 100,000 of the population within the sanitary district. It denies that the defendant has abstracted from 400,000 to 600,000 feet per minute, but as it alleges the great evils that would ensue if the flow were limited to the amount fixed by the Secretary of War or to any amount materially less than that required by the state act of May 29, 1889, and as it admits present conditions to be good, the denial cannot be taken very seriously. The act sufficiently indicates what the State threatens and intends to do unless stopped. The answer also denies that the abstraction of water substantially in excess of 250,000 cubic feet per minute will lower the levels of the Lakes and Rivers concerned or create an obstruction to the navigable capacity of those waters. It goes into the details of the construction of the channel; the expenses incurred; and the importance of it to the health of the inhabitants of Chicago, both for the removal of their sewage and avoiding the infection of their source of drinking water in Lake Michigan which had been a serious evil before. It shows the value of the channel for the great scheme of navigation that we have mentioned; recites acts of Congress and of officers of the United States alleged to authorize what has been done, and to estop the United States from its present course, and finally the bull by the horns and denies the right of the United States to determine the amount of water that should flow through the channel or the manner of the flow.

4

This brief summary of the pleadings is enough to show the gravity and importance of the case. It concerns the expenditure of great sums and the welfare of millions of men. But cost and importance, while they add to the solemnity of our duty, do not increase the difficulty of decision except as they induce argument upon matters that with less mighty interests no one would venture to dispute. The law is clear, and when it is known the material facts are few.

5

This is not a controversy between equals. The United States is asserting its sovereign power to regulate commerce and to control the navigable waters within its jurisdiction. It has a standing in this suit not only to remove obstruction to interstate and foreign commerce, the main ground, which we will deal with last, but

also to carry out treaty obligations to a foreign power bordering upon some of the Lakes concerned, and, it may be, also on the footing of an ultimate sovereign interest in the Lakes. The Attorney General by virtue of his office may bring this proceeding and no statute is necessary to authorize the suit. *United States v. San Jacinto Tin Co.*, [125 U. S. 273](#), 8 S. Ct. 850, 31 L. Ed. 747. With regard to the second ground, the Treaty of January 11, 1909, with Great Britain, expressly provides against uses 'affecting the natural level or flow of boundary waters' without the authority of the United States or the Dominion of Canada within their respective jurisdictions and the approval of the International Joint Commission agreed upon therein. As to its ultimate interest in the Lakes the reasons seem to be stronger than those that have established a similar standing for a state, as the interests of the nation are more important than those of any state. In *re Debs*, [158 U. S. 564](#), [584](#), 585, 599, 15 S. Ct. 900, 39 L. Ed. 1092; *Georgia v. Tennessee Copper Co.*, [206 U. S. 230](#), 27 S. Ct. 618, 51 L. Ed. 1038, 11 Ann. Cas. 488; *Hudson County Water Co. v. McCarter*, [209 U. S. 349](#), [355](#), 28 S. Ct. 529, 52 L. Ed. 828, 14 Ann. Cas. 560; *Marshall Dental Manufacturing Co. v. Iowa*, [226 U. S. 460](#), [462](#), 33 S. Ct. 168, 57 L. Ed. 300.

6

The main ground is the authority of the United States to remove obstructions to interstate and foreign commerce. There is no question that this power is superior to that of the States to provide for the welfare or necessities of their inhabitants. In matters where the States may act the action of Congress overrides what they have done. *Monongahela Bridge Co. v. United States*, [216 U. S. 177](#), 30 S. Ct. 356, 54 L. Ed. 435; *Second Employers' Liability Cases*, [223 U. S. 1](#), [53](#), 32 S. Ct. 169, 56 L. Ed. 327, 38 L. R. A. (N. S.) 44. But in matters where the national importance is imminent and direct even where Congress has been silent the States may not act at all. *Kansas City Southern Ry. Co. v. Kaw Valley Drainage District*, [233 U. S. 75](#), [79](#), 34 S. Ct. 564, 58 L. Ed. 857. Evidence is sufficient, if evidence is necessary, to show that a withdrawal of water on the scale directed by the statute of Illinois threatens and will affect the level of the Lakes, and that is a matter which cannot be done without the consent of the United States, even were there no international covenant in the case.

7

But the defendant says that the United States has given its assent to all that has been done and that it is estopped to take the position that it now takes. A state cannot estop itself by grant or contract from the exercise of the police power. *Texas & New Orleans R. Co. v. Miller*, [221 U. S. 408](#), [414](#), 31 S. Ct. 534, 55 L. Ed. 789; *Atlantic Coast Line R. R. Co. v. Goldsboro*, [232 U. S. 548](#), [558](#), 34 S. Ct. 364, 58 L. Ed. 721; *Denver & Rio Grande R. Co. v. Denver*, [250 U. S. 241](#), [244](#), 39 S. Ct. 450, 63 L. Ed. 958. It would seem a strong thing to say that the United States is subject to narrower restrictions in matters of national and international concern. At least it is true that no such result would be reached if a strict construction of the Government's act would avoid it. This statement was made and illustrated in a case where it was held that an order of the Secretary of War under the Act of March 3, 1899, c. 425, the same act in question here, directing an alteration in a bridge must be obeyed, and obeyed without compensation, although the bridge had been built in strict accord with an Act of Congress declaring that if so built it should be a

lawful structure. *Louisville Bridge Co. v. United States*, 242 U. S. 409, 417, 37 S. Ct. 158, 61 L. Ed. 395; *Greenleaf Johnson Lumber Co. v. Garrison*, 237 U. S. 251, 35 S. Ct. 551, 59 L. Ed. 939. It only remains to consider what the United States has done. And it will be as well to bear in mind when considering it that this suit is not for the purpose of doing away with the channel, which the United States, we have no doubt, would be most unwilling to see closed, but solely for the purpose of limiting the amount of water to be taken through it from Lake Michigan.

8

The defendant in the first place refers to two acts of Congress: One of March 30, 1822, 3 Stat. 659, which became ineffectual because its conditions were not complied with, and another of March 2, 1827, c. 51, 4 Stat. 234, referred to, whether hastily or not, in *Missouri v. Illinois*, 200 U. S. 496, 526, 26 S. Ct. 268, 50 L. Ed. 572, as an act in pursuance of which Illinois brought Chicago into the Mississippi watershed. The act granted land to Illinois in aid of a canal to be opened by the State for the purpose of uniting the waters of the Illinois River with those of Lake Michigan, but if it has any bearing on the present case it certainly vested no irrevocable discretion in the State with regard to the amount of water to be withdrawn from the Lake. It said nothing on that subject. We repeat that we assume that the United States desires to see the canal maintained and therefore pass by as immaterial all evidence of its having fostered the work. Even if it had approved the very size and shape of the channel by act of Congress it would not have compromised its right to control the amount of water to be drawn from Lake Michigan. It seems that a less amount than now passes through the cannal would suffice for the connection which the United States has wished to establish and maintain.

9

In an appropriation Act of March 3, 1899, c. 425, § 10, 30 Stat. 1121, 1151, Congress provided:

10

'That the creation of any obstruction not affirmatively authorized by Congress, to the navigable capacity of any of the waters of the United States is hereby prohibited; * * * and it shall not be lawful to excavate or fill, or in any manner to alter or modify the course, location, condition, or capacity of, any port, roadstead, haven, harbor, canal, lake, harbor of refuge, or inclosure within the limits of any breakwater, or of the channel of any navigable water of the United States, unless the work has been recommended by the Chief of Engineers and authorized by the Secretary of War prior to beginning the same.'

11

By section 12 (Comp. St. § 9917) violation of the law is made a misdemeanor and punished, and the removal of prohibited structures may be enforced by injunction of the proper Court of the United States in a suit under the direction of the Attorney General. This statute repeatedly has been held to be constitutional in respect of the power given to the Secretary of War. *Louisville Bridge Co. v. United States*, 242 U. S. 409, 424, 37 S. Ct. 158, 61 L. Ed. 395. It is a broad expression of policy in unmistakable terms, advancing upon an earlier Act of September 19, 1890, c. 907, § 10, 26 Stat. 426, 454 (Comp. St. § 9910a), which forbade obstruction to

navigable capacity 'not affirmatively authorized by law,' and which had been held satisfied with regard to a boom across a river by authority from a state. *United States v. Bellingham Bay Boom Co.*, 176 U. S. 211, 20 S. Ct. 343, 44 L. Ed. 437. There is neither reason nor opportunity for a construction that would not cover the present case. As now applied it concerns a change in the condition of the Lakes and the Chicago River, admitted to be navigable, and, if that be necessary, an obstruction to their navigable capacity, *United States v. Rio Grande Dam & Irrigation Co.*, 174 U. S. 690, 19 S. Ct. 770, 43 L. Ed. 1136, without regard to remote questions of policy. It is applied prospectively to the water henceforth to be withdrawn. This withdrawal is prohibited by Congress, except so far as it may be authorized by the Secretary of War.

12

After this statute was passed the Secretary of War granted various permits, which are relied on by the appellant although in their nature they all were revocable licenses. On May 8, 1899, the Secretary, on application of the appellant, granted permission to open the channel, assumed in the recitals to have a flowage capacity of 300,000 cubic feet per minute with a velocity of one and one-quarter miles an hour, on the conditions that the permit should be subject to the action of Congress (which was superfluous except as a warning); that if at any time the current created proved to be unreasonably obstructive to navigation or injurious to property he reserved the right to close or modify the discharge; and that the Sanitary District must assume all responsibility for damages to property and navigation interests by reason of the introduction of a current in Chicago River. On July 11, 1900, improvements of the Chicago River were permitted with the statement that the permission did not affect the right of the Secretary to revoke the permit of May 8, 1899. On April 9, 1901, the Secretary, Mr. Root, directed the Sanitary District to cut down the discharge to 200,000 cubic feet per minute. On July 23, 1901, at the appellant's request, he amended the order to permit a flow of 300,000 feet between 4 p. m. and 12, midnight, subject to revocation. On December 5, 1901, again on the application of the appellant, leave was given to discharge not exceeding 250,000 feet per minute during the whole twenty-four hours, but subject to such modification as the Secretary might think that the public interests required. On January 17, 1903, the allowance was increased to 350,000 feet until March 31, 1903, after which date it was to be reduced again to 250,000 feet, all subject to modification as before. On September 11, 1907, and on June 30, 1910, permissions were granted to make another connection with Lake Michigan and to open a channel through Calumet River (this last refused by Mr. Secretary Taft on March 14, 1907) on the understanding that the total quantity of water withdrawn from the Lake should not exceed that already authorized by the Secretary of War. Finally on February 5, 1912, the appellant, setting forth that the population of the Sanitary District exceeded 2,500,000 and was increasing rapidly, and that the only method then available for disposing of the sewage of this population was by diluting it with water flowing from Lake Michigan through the canal, asked permission to withdraw not exceeding 10,000 cubic feet per second, subject to such restrictions and supervision as might seem proper to the Secretary and to revocation by him. On January 8, 1913, Mr. Secretary Stimson carefully reviewed the situation, including the obvious fact that so large a withdrawal would lower the levels of the Lakes and

the overwhelming evidence that it would affect navigation, and held that he was not warranted in excepting the appellant from the prohibition of Congress on the ground of even pressing sanitary needs. It appears to us that the attempt to found a defence upon the foregoing licenses is too futile to need reply

13

States bordering on the Mississippi allowed to file briefs as amici curiae suggest that they were not heard and that rights have not been represented before the Secretary of War. The City of Chicago makes a similar complaint and argues that it is threatened with the loss of a hundred million dollars. The interest that the River States have in increasing the artificial flow from Lake Michigan is not a right, but merely a consideration that they may address to Congress, if they see fit, to induce a modification of the law that now forbids that increase unless approved as prescribed. The investment of property in the canals and the accompanying works took the risk that Congress might render it valueless by the exercise of paramount powers. It took the risk without even taking the precaution of making it as sure as possible what Congress might do. But we repeat that the Secretary by his action took no rights of any kind. He simply refused an application of the Sanitary Board to remove a prohibition that Congress imposed. It is doubtful at least whether the Secretary was authorized to consider the remote interests of the Mississippi States or the sanitary needs of Chicago. All interests seem in fact to have been copiously represented but he certainly was not bound to give them a hearing upon the application upon which he was requested to pass.

14

After the refusal, in January, 1913, to allow an increase of flow, the appellant was notified by direction of the War Department that it was drawing more water than was allowed and was violating § 10 of the Act of March 3, 1899. In reply it intimated that it was bound by the state law to which we have referred and in obedience to it had been flowing 20,000 cubic feet per minute for each 100,000 of population and could not reduce that flow. It suggested that its rights should be determined by a suit, and accordingly this bill was filed on October 6, 1913. An earlier suit had been brought on March 23, 1908, to prevent the construction of a second channel from Lake Michigan through the Calumet River to the appellant's main channel, leave to do which had been refused as we have seen by Mr. Secretary Taft. (The permit subsequently granted on June 30, 1910, was with the understanding that it should not affect or be used in the 'friendly suit' then pending to determine rights.) The earlier suit was consolidated with the later present one, and it was agreed that the evidence taken in that should be used in this, so far as applicable. There was some delay in concluding the case, which the defendant naturally would desire, but after it was submitted to the Judge according to his own statement he kept it about six years before delivering an oral opinion in favor of the Government on June 19, 1920. No valid excuse was offered for the delay. There was a motion for reconsideration, but the Judge took no further action of any kind until he resigned in 1922. On June 18, 1923, another Judge entered a decree for an injunction as prayed, with a stay of six months to enable the defendant to present the record to this Court.

The parties have come to this Court for the law, and we have no doubt that as the law stands the injunction prayed for must be granted. As we have indicated a large part of the evidence is irrelevant and immaterial to the issues that we have to decide. Probably the dangers to which the City of Chicago will be subjected if the decree is carried out are exaggerated, but in any event we are not at liberty to consider them, here as against the edict of a paramount power. The decree for an injunction as prayed is affirmed, to go into effect in sixty days—without prejudice to any permit that may be issued by the Secretary of War according to law.

While sitting in on several of the Annual ASSE/IAPMO virtual meetings I made it a point to listen to what was being said. I analyzed what each professional was talking about and the way they expressed their views on each subject. Here is what I came away with during this year meeting. ASSE and IAPMO understands their place in the world realizing their Engineered and Plumbing Professionalism were directed towards engineering and codes for the benefit of all. They all chose their thoughts wisely. All seemed to think twice about what was at hand. I thought this was especially important because they didn't want to create a more difficult problem down the road. It seemed to me that everyone was relaying on past historical problems so they don't become a bigger issue. What was then and what is now can be miles apart even though it may be on the same subject matter. ASSE/IAPMO has studied what engineering practices were okay in the past and brought them into the future. Both of these Organizations have brought together physicians, plumbers, engineers, health officials, manufactures and others to move forward the quality of potable water and proper sanitation. In doing so they have helped the world prevent some epidemic out breaks such as polio, typhoid, and cholera among others. We didn't talk much about IWSH program which is focusing on potable water and sanitation on a global issue. Just think back in 1962 the sanitation movement was started in the U.S. and how far we have come. Some liken this Pandemic to the 1911 ship from Germany to New York which brought infectious people here to the United States, "I do not." In 1911 the American Society of Sanitary Engineering (American Society of Inspectors of Plumbing and Sanitary Engineering) President Ball Address to the members spoke about these issues; (Opening Statement by President Ball) The American Society of Plumbing and Sanitary Engineers, assembled here in this fair capital city for its fifth annual meeting, may profitably engage your attention in a brief review of the accomplishments of its lusty infancy, of its present status, and of our hopes for its future usefulness. The Charter members here present can recall the first meeting held in Washington D.C. on January 29, 1906 attended by twenty-five enthusiastic gentlemen eager to blaze a path for future generations. (" in a mere five years the geographical range of membership extended from Halifax to Honolulu and from Winnipeg to Panama") President Ball spoke about Plumbing codes and sanitation engineering of building water and sanitary systems, the competency of Plumbers, the civil service appointments of Inspectors of Plumbing, the Federal Promotion of Public Health, the cooperation with other agencies, that all plumbers should engage actively in this campaign for decency, cleanliness, convenience and good health, factory sanitation, testing of plumbing. President Ball concluded the meeting this way.

The Development and usefulness of our society will always depend upon the devotion of its members to truth and the common good. If they continue, as in the past, to give their time, money and service to advance its interests, its value to all will still increase in greater proportion than heretofore. Let no one think we fail because we differ in our views. Truth is a warrior. It invades the haunt of error. It loves combat. It prevails by conquest. Men cannot crush or destroy it. Let us serve truth with confidence and new courage. I have firm faith in your purpose to render this service and, therefore, a fixed conviction that the American Society of Inspectors of Plumbing and Sanitary engineers is but in the infancy of an extended career of usefulness to mankind.



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To join ASSE Illinois Chicago Chapter or any other Chapter go to:

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I and all the members wish to thank Business Manager James F. Coyne for standing strong in the face of this pandemic. He and the officers of Local Union 130 and all the Business Representatives have kept our Plumbers and Technical Engineers safe and healthy as possible. Without leadership all organizations fail, 130's leadership is tops in the world. ASSE Chicago Chapter has the utmost respect for the leadership of 130.

We thank Chicago Journeymen Plumbers Local Union 130 U.A. for their continuing support. We also thank our many sponsors who have over the years continued to support the American Society of Sanitary Engineering Illinois Chicago Chapter and the International American Society of Sanitary Engineering. Please use our sponsor resources for all you material needs and professional services when possible. Please see our advertisement pages for contact information.



Russ Chaney



Tom Palkon

The Chicago Chapter of ASSE wishes to thank Russ Chaney outgoing Chief Executive Officer of the International Association of Plumbing and Mechanical Officials, and Tom Palkon Executive Director of the American Society of Sanitary Engineering for their dedication to Prevention Rather than Cure. Their leadership has moved our cause forward at a good pace. Knowledge is a powerful tool to have in your box and both of these men have provided each chapter with the proper knowledge so we might stay on top of what to expect down the road. It is with great pride that the members of ASSE Chicago Chapter give respect to both these gentlemen.



ASSE Illinois Chicago Chapter wishes to congratulate Mr. Dave Viola on becoming the new Chief Operating Officer of IAPMO/ASSE. We thank you for all your past work and dedication to our Society.



ASSE Illinois Chapter Wishes to thank Mr. Scott Hamilton Executive Director of ASSE International for his dedication and hard work to keep our programs running smoothly. Your past has not gone un-noticed by our chapter, as we are sure that all chapters feel the same.



ASSE Illinois Chicago Chapter Wishes to thank Mr. John Parizak Past President of ASSE International for the outstanding work he performed during his term. Thank you, Thank you, Thank you Mr. President



ASSE Illinois Chicago Chapter wishes to thank Mr. Jason Shank for stepping up to become the next President of ASSE International wishing you the best of luck during your term.

Education, education, education

PUBLIC HEALTH

(410 ILCS 35/) Equitable Restrooms Act.

(410 ILCS 35/1) (from Ch. 111 1/2, par. 3751-1)

Sec. 1. Short title. This Act may be cited as the Equitable Restrooms Act. (Source: P.A. 87-472.)

(410 ILCS 35/5) (from Ch. 111 1/2, par. 3751-5)

Sec. 5. Legislative finding. The General Assembly finds that an inequitable situation occurs due to delays which women face in the use of restroom facilities when men are rarely required to wait for the same purpose. Rectifying this inequitable situation is a matter of serious public concern. This Act shall be liberally construed toward that end. (Source: P.A. 87-472.)

(410 ILCS 35/10) (from Ch. 111 1/2, par. 3751-10)

Sec. 10. Definition. As used in this Act, "place of public accommodation" means a publicly or privately owned sports or

entertainment arena, stadium, community or convention hall, special event center, amusement facility or a special event center in a public park. This definition does not include hotels, restaurants or schools.
(Source: P.A. 87-472.)

(410 ILCS 35/15) (from Ch. 111 1/2, par. 3751-15)

Sec. 15. Specifications. A place of public accommodation shall be equipped with the following facilities:

(1) At least one women's toilet stall for every 200 persons in the maximum legal capacity of the place of public accommodation.

(2) At least one men's toilet stall for every 700 persons in the maximum legal capacity of the place of public accommodation.

(3) At least one men's urinal for every 250 persons in the maximum legal capacity of the place of public accommodation.

(Source: P.A. 87-472.)

(410 ILCS 35/18)

Sec. 18. Baby changing stations.

(a) As used in this Section:

"Public building" means:

(1) a place of public accommodation,
as that term is

defined in Section 10;

(2) a State building open to the
public;

(3) a retail store of more than
5,000 square feet
that contains a restroom open to the
public; or

(4) a restaurant that meets the
following criteria:

(A) the restaurant has an occupancy of
at least 60 persons, as determined by
the local fire department, fire
protection district, building permitting
entity, or building inspector; (B) the
restaurant contains a restroom that is
open to the public; and (C) the
restaurant's entrance is not within 300
feet of a centrally located facility
with a baby diaper changing station that
is open to the public.

"Restaurant" means a business having
sales of ready-to-eat food for immediate

consumption comprising at least 51% of the total sales, excluding the sale of liquor.

(b) Every public building with restrooms open and accessible to the public shall have:

(1) at least one safe, sanitary, convenient, and, publicly accessible baby diaper changing station that is accessible to women entering a restroom provided for use by women and at least one safe, sanitary, convenient, and publicly accessible baby diaper changing station that is accessible to men entering a restroom provided for use by men; or

(2) at least one safe, sanitary, convenient, and publicly accessible baby diaper changing station that is accessible to both men and women.

This requirement is in addition to any accommodations that may be made for individuals in accordance with any local, State, or federal laws regarding access for persons with disabilities and to existing fire, health, and safety codes or standards.

(c) Subsection (b) does not apply to the following:

(1) An industrial building, nightclub, or bar that

does not permit anyone who is under 18 years of age to enter the premises.

(2) A restroom located in a health facility, if the restroom is intended for the use of one patient or resident at a time.

(3) A renovation, if a local building permitting entity or building inspector determines that the installation of a baby diaper changing station is not feasible or would result in a failure to comply with applicable building standards governing the right of access for persons with disabilities. The permitting entity or building inspector may grant an exemption from the requirements of this subsection under those circumstances.

(d) A public restroom that is open and accessible to the public and includes a baby diaper changing station shall include signage at or near the entrance to the baby changing station indicating the location of the baby diaper changing station.

(e) This Section shall not be enforceable by a private right of action.

(Source: P.A. 101-293, eff. 1-1-20; 101-602, eff. 1-1-20.)

(410 ILCS 35/20) (from Ch. 111 1/2, par. 3751-20)

Sec. 20. Application. Except for Section 25, this Act applies only to places of public accommodation that commence construction, or that commence alterations exceeding 50% of the entire place of public accommodation, after the effective date of this Act.

(Source: P.A. 101-165, eff. 1-1-20.)

410 ILCS 35/25)

Sec. 25. All-gender single-occupancy restrooms.

(a) In this Section:

"Place of public accommodation" has the same meaning provided in Section 5-101 of the Illinois Human Rights Act.

"Single-occupancy restroom" means a fully enclosed room, with a locking mechanism controlled by the user, containing a sink, toilet stall, and no more than one urinal.

(b) This Section applies to any existing or future places of public accommodation or public buildings.

(c) Notwithstanding any other provision of law, every single-occupancy restroom in a

place of public accommodation or public building shall be identified as all-gender and designated for use by no more than one person at a time or for family or assisted use. Each single-occupancy restroom shall be outfitted with exterior signage that marks the single-occupancy restroom as a restroom and does not indicate any specific gender.

(d) During any inspection of a place of public accommodation or public building by a health officer or health inspector, the health officer or health inspector may inspect the place of public accommodation or public building to determine whether it complies with this Section.

(e) The Department of Public Health shall adopt rules to implement this Section. (Source: P.A. 101-165, eff. 1-1-20.)

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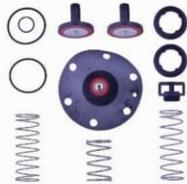
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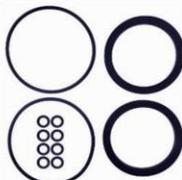


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