

ORDINANCE NO. 20-02

AN ORDINANCE AMENDING ORDINANCE NO. 07-12, BEING AN ORDINANCE ESTABLISHING CHARGES FOR CONNECTION TO THE SEWERAGE SYSTEM OF THE NORTHERN MORAINÉ WASTEWATER RECLAMATION DISTRICT, LAKE AND McHENRY COUNTIES, ILLINOIS TO ESTABLISH A SPECIAL CONNECTION CHARGE FOR THE DARRELL ROAD FACILITIES

WHEREAS, in December 2007, the Board of Trustees ("**District Board**") of the Northern Moraine Wastewater Reclamation District ("**District**") adopted its Ordinance No. 07-12, which ordinance established connection charges for users of the District's public sewage works ("**Connection Charges**"); and

WHEREAS, in December 2008, the District Board adopted its Ordinance No. 08-11, which ordinance amended the Connection Charges; and

WHEREAS, the District Board has the authority to amend its Connection Charges as reasonably determined in the legislative discretion of the District Board; and

WHEREAS, the District has incurred and/or will be incurring costs as a result of extending and enhancing District facilities along Darrell Road (the "**Darrell Road Line**"); and

WHEREAS, to help defray the costs of the Darrell Road Line, the District Board has determined that it is in the best interest of the District, its residents, and taxpayers to amend the Connection Charges established in Ordinance No. 07-12, as amended, to provide a special connection charge for those users who hereafter connect, directly or indirectly, to the Darrell Road Line, as hereinafter set forth;

BE IT ORDAINED AND ENACTED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE NORTHERN MORAINÉ WASTEWATER RECLAMATION DISTRICT, STATE OF ILLINOIS as follows:

SECTION 1: Recitals. The foregoing recitals are incorporated into and made a part of this Ordinance as if fully set forth in this Section.

SECTION 2: Amendment to Section 2 of Ordinance No. 07-12. Section 2 of Ordinance No. 07-12 is hereby amended to provide a special connection charge for users connecting directly or indirectly to the Darrell Road Line, so that Section 2 of Ordinance No, 07-12 shall hereafter read and be as follows:

2.1 Residential connection fees shall be in accordance with "Exhibit A" as approved by the Northern Moraine Wastewater Reclamation District. "Residential" is defined as a structure used solely as a dwelling for one or more individuals." **Notwithstanding the foregoing, an additional special connection fee shall apply to residential users whose sewage will be tributary, directly or indirectly, to the sewer lines and related facilities located along Darrell Road (the "Darrell Road Line") as provided in Section 2.9, below.**

2.2 Connection fees for other than residential structures, which shall be designated "non-residential" structures (to include all uses other than purely residential uses, i.e., "non-residential" uses include a residential use coupled with another use) shall be based upon population equivalent as determined by the District from the proposed wastewater discharge strength and volume. One population equivalent shall be equal to 100 gallons per day volume with a maximum strength of 200 milligrams per liter (mg/l) biochemical oxygen demand (BOD) and 250 mg/l suspended solids (SS). Where anticipated sewage strengths exceed 200 mg/l BOD or 250 mg/l SS, the population equivalent shall be the larger of the following:

(a) The BOD population equivalent calculated at 0.17 pounds per day BOD per population equivalent.

(b) The SS population equivalent calculated at 0.21 pounds per day SS per population equivalent.

2.3 Where reasonable estimates of proposed wastewater volume and strength have not been provided by the applicant, the District may establish such reasonable estimates consistent with the stated use of the premises.

2.4 Non-Residential connection fees shall be in accordance with "Exhibit B" as approved by the Northern Moraine Wastewater Reclamation District. **Notwithstanding the foregoing, an additional special connection fee shall apply to non-residential users whose sewage will be tributary, directly or indirectly, to the Darrell Road Line as provided in Section 2.9, below.**

2.5 For any property or portion thereof for which a sewer connection charge has been paid or established, and which, by alteration, enlargement or change of use, becomes subject to a higher rate for the sewer connection charge by reason of such enlargement, alteration or change of use, the owner of the premises, the occupant thereof, and the user of the sewer service shall be jointly and severally liable to notify the District thereof, and pay to the District the difference between the present cost of the original connection charge and the rate now applicable by

reason of said enlargement, alteration or change of use. Notice thereof shall be given to the District no later than fourteen (14) days before the enlargement, alteration or change of use, and in the event the District is not notified within such time, an additional charge of up to \$25.00 per day may be assessed for such failure, in addition to any penalties otherwise provided by this Ordinance.

2.6 For connections outside the corporate limits of the District, the Board of Trustees of the District shall determine the permit fee for such sewer connection.

2.7 The applicant in all cases shall provide and pay the cost of construction, both labor and materials, of the sewer service from the point of connection to the premises to be served.

2.8 Prepaid connection fees shall only be used to reserve capacity at the treatment plant prior to the approval of final engineering plans and issuance of an IEPA permit or platting of a parcel and/or subdivision. These fees shall be accompanied with an exhibit listing the project limits and parcel numbers. Paid connection fees shall not be considered as a right to connect to the sewer system.

2.9 Any residential or non-residential users whose sewage will be tributary, directly or indirectly, to the Darrell Road Line shall be required to pay a special connection fee as set forth in "Exhibit B" as approved by the Northern Moraine Wastewater Reclamation District.

SECTION 3: Amendment to Exhibit B of Ordinance No. 07-12. Exhibit B of Ordinance No. 07-12, as amended by Ordinance No. 08-11, is hereby further amended to provide the following special connection charge for users who are directly or indirectly tributary to the Darrell Road, so that Exhibit B shall hereafter read and be as follows:

EXHIBIT B

NORTHERN MORAIN WASTEWATER RECLAMATION

DISTRICT,

LAKE AND McHENRY COUNTIES, ILLINOIS

Non-Residential Connection Fees; Special Connection Fees for Darrell Road Line

I. Non-Residential Connection Fees

Except as provided in Subsection 2.1 of this Ordinance, connection fees shall be \$2164 per population equivalent but not less than the following minimum schedule based upon water meter sizes:

<u>Meter Size</u>	<u>Minimum Connection Fee</u>
¾" (minimum)	\$10,795
1"	\$17,315
1 ¼"	\$25,970

1 1/2"	\$32,465
2"	\$54,110
3"	\$114,575
4"	\$178,745

The District shall inspect the sewer service to determine that the construction thereof is in accordance with specifications established by the District for said services and the charge for making said inspection shall be \$100.00 for each single sewer connection.

II. Connection Fees for Users on Darrell Road Line

Any residential or non-residential users whose sewage will be tributary, directly or indirectly, to the Darrell Road Line shall be required to pay a special connection fee, which fee shall be in addition to any other applicable connection charges or fees. The special connection fee shall initially be \$928.00 per population equivalent (PE), and such fee shall automatically increase each May 1 (beginning May 1, 2021) by the "Consumer Price Index" as defined in 35 ILCS 200/18-185.

SECTION 4: Effective Date. This ordinance shall take full force and effect upon its passage, approval, and publication in pamphlet form in the manner provided by law.

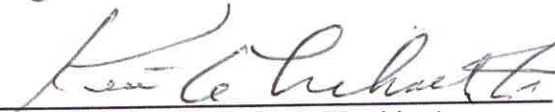
Passed and adopted by the Board of Trustees of the Northern Moraine Wastewater Reclamation District, Counties of Lake and McHenry, State of Illinois, on this 11th day of February, 2020 by the following vote:

AYES: 5

NAYS: 0

ABSENT: 0

Approved this 11th day of February, 2020.


 Kenneth A. Michaels, Jr., President
 Northern Moraine Wastewater Reclamation District

ATTEST:


 Deborah Martin, Clerk
 Northern Moraine Wastewater Reclamation District

