

ORDINANCE NO. 676

AN ORDINANCE OF THE URBANA & CHAMPAIGN SANITARY DISTRICT OF CHAMPAIGN COUNTY, ILLINOIS, ESTABLISHING CONNECTION FEES TO BE DEPOSITED IN AND APPROPRIATED AND EXPENDED FROM THE VARIOUS CONSTRUCTION FUNDS TO FINANCE THE NECESSARY CONSTRUCTION, REPAIR AND REPLACEMENT BY THE URBANA & CHAMPAIGN SANITARY DISTRICT OF TREATMENT PLANT FACILITIES AND APPURTENANCES THERETO

WHEREAS, on December, 6, 2007, the Board of Trustees of the Urbana & Champaign Sanitary District adopted Ordinance No.635, AN ORDINANCE OF THE URBANA & CHAMPAIGN SANITARY DISTRICT OF CHAMPAIGN COUNTY, ILLINOIS, ESTABLISHING CONNECTION FEES TO BE DEPOSITED IN AND APPROPRIATED AND EXPENDED FROM THE CONSTRUCTION FUND TO FINANCE THE NECESSARY CONSTRUCTION BY THE URBANA & CHAMPAIGN SANITARY DISTRICT OF TREATMENT PLANT FACILITIES AND APPURTENANCES THERETO, which said ordinance amended and restated the previous Ordinance No. 575; and

WHEREAS, the Board of Trustees of the Urbana & Champaign Sanitary District has determined that it is necessary to amend, restate and replace the above ordinance;

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE URBANA & CHAMPAIGN SANITARY DISTRICT OF CHAMPAIGN COUNTY, ILLINOIS:

SECTION 1. PUBLIC PURPOSE

The public purpose of this ordinance is to establish connection fees to be deposited in and appropriated and expended from the various construction funds to finance the necessary construction, repair, and replacement by the Urbana & Champaign Sanitary District (hereinafter UCSD or District) of treatment plant facilities and appurtenances thereto. The construction of the treatment plant facilities and the extension of the services of the District in growth areas will provide for the preservation of the public health, comfort and convenience of all citizens served by the District. These purposes can best be accomplished by the adequate funding of the construction funds. The connection fees to the District's system are believed to be fair and reasonable and are in proportion to the benefits received by those individuals electing to connect, rebuild or expand their usage. Expenditures from and management of this fund are to be solely and specifically authorized by the UCSD Board of Trustees.

SECTION 2. CONNECTION PERMITS REQUIRED

A UCSD Connection Permit shall be required prior to modification of flows relating to any building consisting of a new, modified, or existing connection that impacts a public sewer. Without limitation, Connection Permits shall be required when:

- a) creating new sewer connections to a public sewer, or to a private sewer that impacts a public sewer,
- b) modifying sewer connections to a public sewer, or to a private sewer that impacts a public sewer,
- c) constructing a new building,
- d) reconstructing an existing building,
- e) increasing the number of residential units in an existing building,
- f) modifying sewage flows from any nonresidential portions of buildings with an existing connection that impacts a public sewer, or
- g) remodeling nonresidential portions of buildings where any plumbing is modified.

SECTION 3. CONNECTION PERMIT APPLICATION

No Connection Permit shall be issued until a complete Connection Permit Application is filed with and approved by UCSD. A complete Connection Permit Application includes:

- a) a completed Connection Permit Application Form,
- b) payment to UCSD of connection fees as specified in this Ordinance,
- c) plans showing all new or modified plumbing associated with the building (not required for single-family home permits),
- d) plans showing the sanitary sewer connection for the building(s) (not required for single-family home permits),
- e) a copy of the Illinois Environmental Protection Agency (IEPA) Permit (if such permit is required for the project), and
- f) any additional information requested by UCSD staff to clarify the extent of the project or to determine the UCSD Connection Permit fee.

SECTION 4. CONNECTION FEES

In establishing connection fees, the District shall consider the cost to administer the permit program and the cost of providing reserve sewage works capacity. The fee for a Connection Permit shall be **\$355.00 per population equivalent (PE)** of loading for the proposed connection.

The PE values shall be based upon peak or instantaneous flow rates, not average rates of flow. The PE values shall account for expected quantities of unmetered flow, such as infiltration and inflow, from the sewers that connect the building to the treatment plant.

For residential buildings, the PE charged shall be established using the following schedule:

- a) Efficiency or studio apartment = 1 PE / apartment
- b) 1-Bedroom apartment = 1.5 PE / apartment
- c) Mobile home = 2.25 PE / home
- d) 2- or 3-Bedroom apartment = 3 PE / apartment
- e) Apartments with than 3 bedrooms = 3.5 PE / apartment
- f) Single-family dwelling = 3.5 PE / home
- g) Condominium unit = 3.5 PE / condominium
- h) Other dwelling unit = 3.5 PE / dwelling unit

For nonresidential buildings, the PE charged shall be established as the highest of the following:

- a) 3.5 PE (minimum for nonresidential permits),
- b) the PE value listed in the IEPA Permit Application for the project,
- c) the values based upon information in Title 35, Subtitle C, Chapter II, Section 370, Appendix B of Illinois Recommended Standards for Sewage Works, *Commonly Used Quantities of Sewage Flows from Miscellaneous Type Facilities* (based upon 100 gallons of sewage per day = 1 PE),
- d) the PE for flow (based upon 100 gallons of sewage per day = 1 PE),
- e) the PE 5-day biochemical oxygen demand (based upon 0.17 pounds per day = 1 PE), or
- f) the PE for suspended solids (based upon 0.20 pounds per day = 1 PE).

All other uses not herein classified are to be determined by UCSD staff based upon an analysis of similarly permitted properties and the best professional judgment of UCSD staff.

For a connection to a UCSD interceptor sewer, an additional fee of \$300.00 shall be charged.

All permit fee calculations may be appealed to the Board of Trustees of UCSD for the sole purpose of determining compliance with this ordinance. Because the Connection Permit fees pay for capacity at the treatment plant that is estimated to be used by a given entity, no reductions in Connection Permit fees are made on the basis of the not-for-profit status of an entity.

SECTION 5. RECALCULATED CONNECTION PERMIT FEES

If it is determined at the completion of a project for which a Connection Permit has been granted that the actual values for the inputs into the Connection Permit fee calculation are greater than the permitted amounts, the Connection Permit fee charge will be revised to reflect the current values. Any additional Connection Permit Fees shall be due within 30 days of notification of recalculation.

SECTION 6. CREDITS FOR CONNECTION PERMIT FEES

Credits may be used to reduce the net cost of a Connection Permit fee.

An existing building, which is currently connected to the sewer system and which shall remain standing as a part of the construction project, shall receive a minimum credit of 3.5 PE.

An existing building, which is currently connected to the sewer system, and which shall remain standing as a part of the construction project, shall receive credit for all units or PE that were documented in previous Connection Permits even if no monies were paid for those permits.

If no connection permits were issued for an existing building, which is currently connected to the public sewer system, and which shall remain standing as a part of the construction project, said building shall receive credit for all units or PE loads that were present on January 1, 1990.

For all buildings, a credit equal to the total dollars paid to UCSD for all previous Connection Permits allocated to those buildings shall be granted for all Connection Permits issued for those

buildings.

The credits for total dollars paid to UCSD for all previous Connection Permits may be transferable to a new building, if all of the following apply:

- a) the existing building(s) is demolished, and
- b) the newly permitted building is built to replace a demolished building(s), and
- c) the new building is built upon the same real property as the demolished building(s).

No other credits are transferable to different buildings than were permitted with the Connection Permit(s).

It shall be the obligation of the property owner to provide written documentation to substantiate credits claimed that are not documented in UCSD records.

Excess or unused credits shall remain as an asset to the building, or if there is no building, the property. Excess or unused credits are not refundable.

SECTION 7. FINES, PENALTIES AND SUITS

Any person violating or failing to comply with any of the terms or provisions of this ordinance shall be guilty of a misdemeanor and on conviction thereof shall be subject to a fine of not less than \$25.00 nor more than \$200.00 for the first offense; and for each subsequent offense shall be subject to a fine of not less than \$50.00 nor more than \$300.00 to be recovered before any court of competent jurisdiction. UCSD is hereby authorized and empowered to institute and prosecute any and all proceedings, suits and actions necessary to collect any and all fines and penalties herein provided for and is also hereby authorized and empowered to institute and prosecute any and all suits at law or in equity as may be appropriate or necessary to prevent or abate unlawful connections to UCSD system in violation of the provisions of this ordinance.

SECTION 8. VALIDITY OF ORDINANCE

In the event any one or more of the provisions of this ordinance, for any reason, shall be held to be illegal or invalid, such illegality shall not render illegal or invalid other provisions of this ordinance, and in every such event this ordinance shall be construed and enforced as if such illegal or invalid provisions had not been contained herein.

SECTION 9. ORDINANCE IN FORCE

This ordinance shall be in full force and effect from and after its passage, adoption, approval and publication in accordance with the law, on August 1, 2012, whichever time or event occurs the latest; and all ordinances, or parts of ordinances, in conflict with the provisions of this ordinance are hereby repealed on the effective date of this ordinance.

SECTION 10. REVOCATION OF PRIOR ORDINANCE.

Ordinances Nos. 575 and 635 are hereby revoked in their entirety concurrently with the effective date of this ordinance.

PASSED AND ADOPTED by the Board of Trustees of the URBANA & CHAMPAIGN
SANITARY DISTRICT OF CHAMPAIGN COUNTY, ILLINOIS, this 6th day of July, A.D.,
2012.

Jennifer K. Putman

Clerk of Urbana & Champaign Sanitary
District and of its Board of Trustees

APPROVED BY THE PRESIDENT OF THE URBANA & CHAMPAIGN SANITARY
DISTRICT and of its Board of Trustees, this 6th day of July, A.D., 2012.

Diana Lenik

President of Urbana & Champaign Sanitary
District and of its Board of Trustees

ATTEST:

Jennifer K. Putman

Clerk of Urbana & Champaign Sanitary
District and of its Board of Trustees

APPROVED:

Mark McA

Attorney, Urbana & Champaign Sanitary District

Published: _____, 2012

STATE OF ILLINOIS)
)SS
COUNTY OF CHAMPAIGN)

I, Jennifer K. Putman, do hereby certify that I am the duly appointed Clerk of the Board of Trustees of the Urbana & Champaign Sanitary District of Champaign County, Illinois, and that the foregoing Amended and Restated Ordinance No. 591 is a true, complete and exact copy of said Ordinance that was adopted at the regular meeting of said Board of Trustees held on July 6, 2012 at 10:00 A.M. at the Office of the Administration Building of the Northeast Wastewater Treatment Facilities.

Jennifer K. Putman
Clerk

Signed and sworn before me this 6 day of July, 2012.

Mary C. Smith
Notary Public

