

ORDINANCE NUMBER 2014-03

AN ORDINANCE AMENDING ORDINANCE NUMBER 2012-01 ESTABLISHING RATES, FEES AND CHARGES IN CONNECTION WITH THE USE OF THE WATERWORKS, WASTEWATER RECLAMATION AND REUSE SYSTEMS OWNED OR OPERATED BY, OR LOCATED WITHIN THE BOUNDARIES OF, THE MILL CREEK WATER RECLAMATION DISTRICT

WHEREAS, the Board of Trustees (the "Board of Trustees") of the Mill Creek Water Reclamation District (the "District") previously adopted Ordinance Number 2012-01 on January 17, 2012 ("2012 Rate Ordinance") establishing certain rules, regulations, requirements, fees and charges ("User Charges") in connection with the connection to and use of the wastewater reclamation and reuse system (the "Wastewater System") and the water supply and distribution system (the "Water Supply System") owned and operated by and located within the boundaries of, the District (collectively, the "Systems"); and

WHEREAS, the Board of Trustees has determined that it is necessary and appropriate to establish additional procedures for the connection to the District's Water Supply System and Wastewater System.

NOW, THEREFORE, be it and it is hereby ordained by the Board of Trustees of the Mill Creek Water Reclamation District, Kane County, Illinois, as follows:

**SECTION 1:** That Article II, Section 1 of Ordinance Number 2012-01 is hereby amended by adding the following language at the end of Section 1:

**"SECTION 1. Prior to the connection to the District's Water Supply System and/or Wastewater System, any applicant seeking connection to said Systems, including but not limited to any applicant who is requesting the issuance of a building permit from the County of Kane, shall submit a written application for connection to the District on form prescribed by the District. The District shall determine if the real estate involved is located within the boundaries of the District, whether water distribution and wastewater mains are immediately adjacent to the subject real estate and whether the proposed connection otherwise meets the requirements of the District. The District will notify the applicant of the District's determination on the application within five (5) business days of receipt of a complete application. In the event the District approves the request for connection to said Systems, the approval shall be valid for a period of 180 days from the date the application was received by the District. If a building permit has not been validly issued by the County of Kane within the aforesaid 180 days, or a building permit has been issued but is subsequently revoked, the approval for the request to connect shall automatically become null and void. Notwithstanding the foregoing to the contrary, any approval issued by the**

District prior to the effect date of this amendment to Ordinance No. 2012-01, to-wit: July 23, 2014, shall be valid for a period of 180 days from July 23, 2014. Any request to reissue the approval for a single connection shall require a resubmittal of a written application for connection and the payment of Fifty (\$50.00) Dollars to the District. Connections to the Systems shall not be authorized until the District has inspected the potable water and wastewater connections and notifies the County of Kane building authorities.”

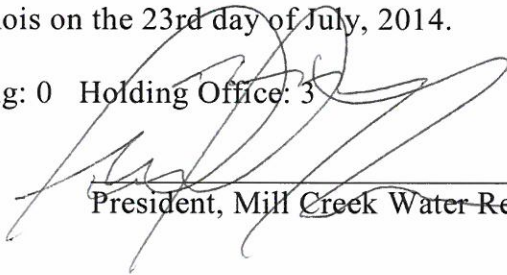
**SECTION 2. Conflict.** All ordinances or parts of ordinances or other rules and regulations of the District, which are in conflict herewith, are hereby repealed.

**SECTION 3. Severability.** The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts. In the event that any part of this Ordinance shall be deemed to be illegal, invalid, or unenforceable, such portion of this Ordinance shall be deemed severed from this Ordinance and shall not affect the remaining portions of the Ordinance which shall be given their full force and effect.

**SECTION 4. Ordinance in Force.** Except as hereby amended by this Ordinance, Ordinance Number 2012-01 shall remain in full force and effect. This Ordinance shall be effective and in full force from and after its passage, approval, and publication as provided by law.

Passed and adopted by the Board of Trustees of the Mill Creek Water Reclamation District of the County of Kane, State of Illinois on the 23rd day of July, 2014.

Ayes: 3 Nays: 0 Absent: 0 Abstaining: 0 Holding Office: 3



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President, Mill Creek Water Reclamation District