

ORDINANCE NUMBER 2015-02

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 finds that it is in the best interest of the District to amend said Ordinance to provide that no extraction or accessing of ground, surface or other type of water shall be permitted without the prior approval of the District.

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 1 of Ordinance 2012-01, entitled "An ordinance 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," adopted on January 17, 2012 and as thereafter amended from time to time, is hereby amended by adding the following provisions as Section 4:

"Article 1

Section 4. Water wells, drilling and use prohibited.

- (a) No person or entity shall drill for, or use, any well designed for extracting or accessing ground, surface or any other type of water within the District without the prior written consent of the Board of Trustees of the District.**
- (b) No person, corporation, partnership, trust or other entity shall connect or cause to be connected to the District's water or wastewater system any well designed for extracting or accessing ground, surface or any other type of water within the**

District without the prior written consent of the Board of Trustees of the District”


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, as heretofore amended, 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 25th day of August, 2015.

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



President, Mill Creek Water Reclamation District

Publication Date: