

CERTIFICATION

I hereby certify that the attached Ordinance, 2021-02, was approved on June 9, 2021 at the Special Meeting of the Board of Trustees for the Mill Creek Water Reclamation District.

A handwritten signature in black ink, appearing to read 'Mark Hammond', is written over a horizontal line. The signature is stylized and cursive.

MARK HAMMOND  
DISTRICT CLERK

ORDINANCE NUMBER 2021-02

**AN ORDINANCE AMENDING ARTICLE III [WATER CONSERVATION] OF ORDINANCE NUMBER 95-06 [WATER AND SEWER], 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 95-06 on September 7, 1995 ("1995 Ordinance") establishing certain rules, regulations, requirements, fees and charges in connection with the connection to and use of the wastewater reclamation and reuse system and the water supply and distribution system owned and operated by and located within the boundaries of, the District; and

WHEREAS, Article Three of the 1995 Ordinance also sets out rules, regulations and penalties regarding potable water conservation within the District; and

WHEREAS, the Board of Trustees finds that it is necessary and in the best interest of the District to modify the 1995 Ordinance by including additional controls and penalties regarding potable water conservation.

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 III, Section 1-49 [Restriction on Residential, Business and Industrial Uses] of Ordinance Number 96-06 is hereby amended by adding the following language and figures as subparagraph (5) thereof, *instanter*:

**“5. Upon the determination of the District or its operating engineers that due to limited water availability or due to the need to ensure sufficient capacity to serve the requirements and needs to supply a sufficient quantity of potable water to all homes and businesses, including water for fire suppression, within the boundaries of the District, the District may further limit or restrict, or entirely prohibit, the use of water for any or all of the restricted uses set forth in Section 1-48 above.”**

**SECTION 2:** That Article III, Section 1-50 [Settlement of Violations] of Ordinance Number 96-06 is hereby amended by deleting said section in its entirety and substituting in lieu thereof the following, *instanter*:

**“SETTLEMENT OF VIOLATIONS:**

(a) **Any unauthorized, prohibited or illegal use of the District's water shall immediately cease upon notice from the District or its representatives.**

(b) Any person accused of a first violation of this Article III may settle and comprise the claim of violation against him by paying to the District within ten (10) days of the time such alleged violation or offense was committed, the sum of \$50.00. This sum may be increased from time to time by the Board of Trustees.

(c) Consecutive violations of this Article III shall be treated as separate offenses. Payment of such claim or claims shall be made at the office of the District. In the event such claim or claims are not paid within ten (10) days of the time of the alleged offense in addition to any other rights or remedies available to the District (specifically including those rights and remedies set forth in Article below), ~~a notice to appear or a warrant (summons) may be issued for the arrest of the offender.~~


**SECTION 3. Conflict.** All ordinances or parts of ordinances or other rules and regulations of the District, which are in conflict herewith, are hereby repealed.

**SECTION 4. 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 5. Ordinance in Force.** Except as hereby amended by this Ordinance, Ordinance Number 2021-02 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 9th day of June, 2021.

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

  
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President, Mill Creek Water Reclamation District

Publication Date: June 10, 2021