

**VILLAGE OF MAPLE PARK**

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**ORDINANCE NO. 2019-11**

**AN ORDINANCE AMENDING TITLE 9, CHAPTER 2,  
ARTICLE A OF THE VILLAGE CODE OF THE VILLAGE  
OF MAPLE PARK, CHAPTER 1, SECTION 9-2A-1,  
“WASTEWATER SERVICE CHARGES,” AND SECTION  
9-2B-1 “WATER SERVICE CHARGES,” BY AMENDING  
CONSUMER PRICE INDEX**

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**ADOPTED BY  
THE BOARD OF TRUSTEES  
OF THE  
VILLAGE OF MAPLE PARK**

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ARTICLE A OF THE VILLAGE CODE OF THE VILLAGE  
OF MAPLE PARK, CHAPTER 1, SECTION 9-2A-1,  
“WASTEWATER SERVICE CHARGES,” AND SECTION 9-  
2B-1 “WATER SERVICE CHARGES,” BY AMENDING  
CONSUMER PRICE INDEX**

**WHEREAS**, the Board of Trustees of the Village of Maple Park, DeKalb and Kane Counties, Illinois (hereinafter referred to as the “VILLAGE”), is a non-home rule municipality, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*; and

**WHEREAS**, there is in effect, in Tile 9, Chapter 1, Section 9-2A-1, and in Section 9-2B-1, of the Maple Park Village Code (hereinafter referred to as “CODE”), a provision imposing Water and Wastewater Service Charges which establishes certain rates for water and wastewater service for users both within and outside corporate limits of the Village; and

**WHEREAS**, pursuant to the compulsory review of the adequacy of the rates and charges of the Corporate Authorities of the Village seeking to ensure that such rates and charges provide sufficient funds to pay all expenses of the wastewater system, the Corporate Authorities have determined that it will serve the best interests of the Village to amend the code to provide an increase in wastewater rates; and

**WHEREAS**, it is the intention of the Corporate Authorities to amend the code to reflect the increased water rates for the users of the wastewater system;

**NOW THEREFORE, BE IT ORDAINED** by the President and Village Board of the Village of Maple Park DeKalb and Kane Counties, Illinois, in a regular session as follows:

**Section 1.** That the recitals set forth are incorporated herein and made a part hereof.

**Section 2.** That Title 9, Chapter 2, Section 9-2A-1 and 9-2B-1, ~~Paragraph J~~ of the Village Code be amended as follows:

**9-2A-1: WASTEWATER SERVICE CHARGES:**

- A. Basis For Wastewater Service Charges: The wastewater service charges for the use of and for service supplied by the wastewater facilities of the village shall consist of a basic user charge, a capital improvement charge, and if applicable, a debt service charge and a surcharge in such amounts as are determined in the manner set forth below.
- B. Basic User Charge: The basic user charge is levied on all users to recover the operation, maintenance, plus replacement (OM&R) costs and shall be based on water usage as recorded by water meters or sewage meters for wastes having the following normal domestic concentrations:
  - 1. A five (5) day, twenty degree centigrade (20°C) biochemical oxygen demand (BOD) of two hundred thirty milligrams per liter (230 mg/l).

2. A suspended solids (SS) content of two hundred eighty milligrams per liter (280 mg/l).

C. The basic user charge shall be computed on the following:

1. Estimated wastewater volume, pounds of BOD and pounds of SS to be treated.
2. Estimated projected annual revenue required to operate and maintain the wastewater facilities, including a replacement fund, for the year for all wastewater works categories.
3. Proportion the estimated OM&R costs to each user class by volume, BOD, and SS.
4. Proportion the estimated OM&R costs to wastewater facility categories by volume, BOD and SS.
5. Computed costs per one thousand (1,000) gallons for normal domestic strength sewage.
6. Computed surcharge costs per pound for BOD and SS concentrations in excess of normal domestic strength.

The aggregate of these costs shall be used to determine the user charge for operation and maintenance including replacement.

D. Debt Service Charge: A debt service charge consisting of a rate per one thousand (1,000) gallons of usage shall be determined by dividing the amount required to pay principal, interest and other related requirements by the total number of gallons billed in the preceding fiscal year for sewer service.

E. Capital Improvement Charge: A capital improvement charge is levied on users to provide for capital improvements, extensions or reconstruction of the wastewater facilities. The capital improvement charge is computed by apportioning the annual amount to be accrued (as a charge per 1,000 gallons).

F. Surcharge:

1. Computation: A surcharge will be levied to all users whose wastes exceed the normal domestic concentrations for BOD (230 milligrams per liter) and SS (280 milligrams per liter). The surcharge will be based on water usage as recorded by water meters or sewage meters for all wastes which exceed the two hundred thirty milligrams per liter (230 mg/l) and two hundred eighty milligrams per liter (280 mg/l) concentrations for BOD and SS respectively.
2. Waste Sampling: The concentration of wastes used for computing surcharges shall be established by waste sampling. Waste sampling shall be performed as often as may be necessary by the village engineer and shall be binding as a basis for surcharges.

G. Periodic Review And Revision: The adequacy of the wastewater service charges shall be reviewed, not less often than annually. The review may include a review by certified public accountants for the village in their annual audit report. The wastewater service charge shall be revised periodically to reflect the change in debt service or a change in local capital costs or OM&R costs.

H. Annual Notification: The users of wastewater treatment services will be notified annually, in conjunction with a regular bill, of the rate and that portion of the user



charges which are attributable to the wastewater operation, maintenance and replacement.

I. Measurement Of Flow: The volume of flow used for computing user charges and surcharges shall be metered water consumption read to the lowest even increments of one thousand (1,000) gallons.

1. If the user/owner/occupant discharging wastes into public sewers procures all, or any part of, water from sources other than the public water system, all or part of which is discharged into the public sewers, the user/owner/occupant shall, if directed by the director of public works, install and maintain, at user's/owner's/occupant's sole expense, water meters of a type approved by the director of public works for the purpose of determining the volume of water obtained from these other sources.
2. Devices for measuring the volume of waste discharged may be required by the director of public works if these volumes cannot otherwise be determined from metered water consumption records.
3. Metering devices for determining the volume of waste shall be installed and maintained by the user/owner/occupant. Following approval and installation, such meters may not be removed, unless service is canceled, without the consent of the director of public works.

J. Wastewater Service Charges And Rates Established: For each user of service of the wastewater facilities there shall be a charge or rate based upon the amount of water consumed, as shown by water meters, each monthly period as follows:

1. Basic User Charge: As of July 1, 2016, a basic user charge for wastewater service is hereby established in the amount of thirteen dollars seventy four cents (\$13.74) per month for each metered user/owner/occupant of the village wastewater system. This minimum payment will be used for the payment of part of the fixed expenses incurred in the operation and maintenance of the wastewater system. The basic user charge includes up to two thousand (2,000) gallons per month. This amount shall be increased annually on May 1 based upon the annualized prior year end increase in the consumer price index (Midwest ~~size class D~~) with a minimum increase of two percent (2%) and a maximum increase of four and one-half percent (4½%).
2. Wastewater User Charge: Effective July 1, 2016, for each user of the wastewater facilities with usage in excess of two thousand (2,000) gallons per month, there shall be established a wastewater user charge of six dollars eighty-seven cents (\$6.87) for each thousand gallons of water usage. This amount shall be increased annually on May 1 based upon the annualized prior year end increase in the consumer price index (Midwest ~~size class D~~) with a minimum increase of two percent (2%) and a maximum increase of four and one-half percent (4½%).
3. Nonmetered Residential Users; Flat Rate:
  - a. All nonmetered residential users of the wastewater facilities shall pay a flat rate charge of fifty dollars (\$50.00) per month. The flat rate charge consists of forty-eight dollars (\$48.00) for operations, maintenance and replacement and debt service costs and two dollars (\$2.00) for capital improvement costs. The flat rate charge will allow a maximum of five thousand (5,000) gallons per month.
  - b. In the event use of wastewater facilities is determined by the village to be in excess of six thousand (6,000) gallons per month, the village board may require

such a flat rate user to install metering devices on the water supply or sewer main to measure the amount of services supplied.

4. Surcharge Rates: The surcharges for BOD and SS shall be as follows:

|                  |        |
|------------------|--------|
| Per pound of BOD | \$0.12 |
| Per pound of SS  | 0.08   |

(Ord. 2016-12, 9-6-2016)

K. Computation Of Wastewater Service Charge: The wastewater service charge shall be computed by the following formula:

|          |   |                                                                                         |
|----------|---|-----------------------------------------------------------------------------------------|
| CW       | = | $CC + CD + CM + (Vu - X)CU + CS$                                                        |
| Where CW | = | Amount of wastewater service charge (\$) per billing period                             |
| CC       | = | Capital improvement charge (subsection E of this section)                               |
| CD       | = | Debt service charge (subsection D of this section)                                      |
| CM       | = | Minimum user charge (subsection J1 of this section)                                     |
| Vu       | = | Wastewater volume per billing period                                                    |
| X        | = | Allowable consumption in gallons for the minimum charge (subsection J1 of this section) |
| CU       | = | User charge (subsection B of this section)                                              |
| CS       | = | Surcharges, if applicable (subsection J4 of this section)                               |

L. Effective Date Of Rates: The rates and charges established for user charges in this section shall be effective immediately.

#### **9-2B-1: CONNECTION PERMITS AND CHARGES:**

A. Sewer Connection Permits:

1. Permit Required, Issuance:

- a. No service connection with the sanitary sewage system of the Village shall be made without a permit therefor being first obtained as hereinafter provided.
- b. Application for such permit shall be made and filed with the Village Clerk, on forms provided by the building inspector.
- c. The permits shall be issued and approved by the building inspector only after payment of the charges for such connections, respectively, as hereinafter set forth.

2. Record Of Permits Issued:

- a. The Village Clerk and building inspector shall keep in his/her office a complete record of all such permits issued hereunder and the exact location of such connections made.
- b. The building inspector shall furnish to the Village Board, as often as requested, a complete statement of all such permits issued since his last statement.

2. Furnish Plans and Information:

- a. The applicant shall furnish, in connection with the application for service connections, the plans of the building to be served and such other information that the Village building inspector may require for the purpose of determining the amount of charges for such connections in accordance with the schedule of charges hereinafter set forth.
- b. If the plans of the building to be served are such that the building inspector cannot reasonably determine, on its face, what the appropriate service connection charge should be, he/she shall have said plans reviewed by the Village Engineer.
- c. The applicant shall pay the Village Engineer's charges in reviewing said plans in addition to all other fees required by the Village.

B. Sewer Treatment Charges:

1. Rates Imposed: Effective January 1, 2019, prior to the connection of any building with any sanitary sewer which is part of the Village sanitary sewer system, the owner of the property for which service by said system is desired shall pay to the Village, through its building inspector, in addition to other sanitary connection service charges and before a building permit is issued, a sewer treatment charge as follows:
  - a. Single-family residential buildings: Seven hundred fifty dollars (\$750.00) per unit.
  - b. Multi-family residential buildings: Five hundred dollars (\$500.00) per unit.
  - c. Restricted business, general business and industrial, per building based upon size of water meter installed in each building as follows:

| Diameter Of Water Service Pipe | Estimated Water Use (Gallons Per Day) | Sanitary Sewer Service Charge |
|--------------------------------|---------------------------------------|-------------------------------|
| Up to 1 inch                   | 1,250                                 | \$ 1,500.00                   |
| 1 1/2 inches                   | 2,000                                 | 2,400.00                      |
| 2 inches                       | 3,000                                 | 3,600.00                      |
| 3 inches                       | 6,250                                 | 7,250.00                      |
| 4 inches                       | 12,500                                | 14,500.00                     |
| 6 inches                       | 20,000                                | 23,000.00                     |



d. separate charge shall be computed for each residential building, dwelling unit, restricted business, general business or industrial building.

2. Charges Where Schedule Inapplicable: In the case of any application for sanitary sewage service connection permit to which the application of the schedule of charges as above set forth are not definitely applicable, the Village Board shall determine the charges to be made in the particular situation.

D. Water/Sewer Impact Fee:

1. Charges Imposed: For the privilege of connection to the existing sanitary sewerage system, the following connection charges shall apply and shall be paid to the Village prior to the connection of either a building sanitary sewer service or a new sanitary sewer lateral extension.

| Demand Classification                                                                           | Charge             |
|-------------------------------------------------------------------------------------------------|--------------------|
| Single-family residential, per lot                                                              | \$6,866.63         |
| Multi-family residential, per permissible dwelling unit                                         | 6,866.63           |
| Restricted business or general business lot, per permissible 1,000 square feet of building area | \$1,425.00/100 gpd |
| Industrial lot or tract, per acre                                                               | \$2,150.00/100 gpd |

2. Extending System: Payment of the proper sanitary sewer connection charges shall give the applicant the right to extend the Village sanitary sewerage system to serve the lot or lots set forth in the application after receipt of proper payment.

3. Payment In Full Required: All sewer charges are due at the time the permit is issued, and no permit will be issued until charges are paid in full.

4. Annual Increase: Said connection fees shall be increased annually on May 1 based upon the prior year's consumer price index (Midwest ~~size~~ **Class D**) with a minimum increase of two percent (2%) and a maximum increase of four and one-half percent (4½%).

C. Inspection And Enforcement:

1. Right Of Entry: The Village Engineer, building inspector, and wastewater treatment operator shall have the right to enter upon the property for which a permit is issued for connection to the sanitary sewer system and inspect the connection to ensure that said connection conforms in all respects to the sewer use ordinance and all other Building Codes and ordinances of the Village.
2. Permission Refused; Search Warrant: When inspections on private property are necessary for purposes of enforcing the provisions of this section, the building inspector, or his designee, shall attempt to secure the permission of the owner or legal occupant of the property. If permission is refused, or if the owner or occupant is unavailable, the building inspector, or his designee, with the assistance of the

Village Attorney, shall apply to the appropriate court for the issuance of an administrative search warrant. (Ord. 1999-10, 10-5-1999)

E. Sanitary Sewer Permit Inspection Charge: There shall be a charge of two hundred dollars (\$200.00) for inspecting the connection and installation of a sanitary sewer building service pipe from the sanitary sewer lateral or interceptor up to the building foundation. (Ord. 2016-03, 3-1-2016)

F. Effect On Sewer Use Provisions: Nothing in this section shall be construed to overrule, revoke, or amend the sewer use ordinance of the Village, and to the extent, if any, that this section conflicts with any of the phrases, provisions, paragraphs, or sections of the sewer use ordinance, the phrases, provisions, paragraphs, or sections of the sewer use ordinance shall control.

**Section 5.** That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

**Section 6.** Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining portions shall remain in full force and effect as if the invalid provision had not be part of this Ordinance.

**Section 7.** This ordinance shall be in full force and effect on and after is approval, passage and publication in pamphlet form as provided by law.

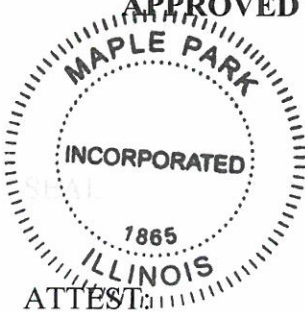
**PASSED** this 4<sup>th</sup> day of June, 2019, pursuant to roll call vote as follows:

AYES: Rebone, Ward, Harris, Higgins

NAYS: None

ABSENT: Dries, Fahnestock

**APPROVED** this 5<sup>th</sup> day of June, 2019.



Elizabeth Peerboom  
Elizabeth Peerboom, Village Clerk

Kathleen Curtis  
Kathleen Curtis, Village President



STATE OF ILLINOIS

COUNTIES OF KANE AND DEKALB

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### PUBLICATION IN PAMPHLET FORM

I, Elizabeth Peerboom, certify that I am the Village Clerk of the Village of Maple Park, Kane and DeKalb Counties, Illinois, and as such officer I am the keeper of the records, files and proceedings of the corporate authorities of said municipality.

I further certify that, as of the date hereof, Ordinance No. 2019-11, adopted by the corporate authorities on **June 4, 2019**, entitled "AN ORDINANCE AMENDING TITLE 9, CHAPTER 2, ARTICLE A OF THE VILLAGE CODE OF THE VILLAGE OF MAPLE PARK, CHAPTER 1, SECTION 9-2A-1, "WASTEWATER SERVICE CHARGES," AND SECTION 9-2B-1 "WATER SERVICE CHARGES," BY AMENDING CONSUMER PRICE INDEX," has been duly published in pamphlet form in accordance with Section 1-2-4 of the Illinois Municipal Code.

IN WITNESS WHEREOF, I have hereunto affixed my official hand and the seal of the municipality this **5<sup>th</sup>** day of **June, 2019**.



*Elizabeth Peerboom*  
Elizabeth Peerboom, Village Clerk  
Village of Maple Park  
Kane and DeKalb Counties, IL