

AN ORDINANCE, ORIGINALLY ADOPTED SEPTEMBER 10, 1974, ESTABLISHING CHARGES AND RATES FOR THE USE AND SERVICE OF THE SANITARY SEWER FACILITIES OF THE SOUTH PALOS TOWNSHIP SANITARY DISTRICT, COOK COUNTY, ILLINOIS (AS AMENDED THROUGH JULY 1, 2018)

**AN ORDINANCE, ORIGINALLY ADOPTED SEPTEMBER 10, 1974,
ESTABLISHING CHARGES AND RATES FOR THE
USE AND SERVICE OF THE SANITARY SEWER FACILITIES OF THE
SOUTH PALOS TOWNSHIP SANITARY DISTRICT, COOK COUNTY, ILLINOIS**

I. That there shall be and there is hereby established a monthly rate or charge for the use of and for the service supplied by the wastewater service system of the South Palos Township Sanitary District, Cook County, Illinois of \$5.25 per 1,000 gallons of metered water consumption (consisting of a basic user charge, a debt service charge and a capital improvement charge) plus the applicable rehabilitation surcharge, being:

A. The basic user charge is levied on all users to recover the ordinary operation, maintenance and repair (O, M & 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 (20) degree centigrade biochemical oxygen demand (BOD) of 0.22 mg/l.
2. A suspended solids content of 0.25 mg/l.

There shall be and there is hereby established a basic user charge of \$5.00 per 1,000 gallons of metered water consumption to be applied to all users to recover O, M & R costs.

B. The debt service charge is computed by apportioning the annual debt service as a charge per 1,000 gallons of metered water consumption.

There shall be and there is hereby established a debt service charge of \$0.00 per 1,000 gallons of metered water consumption per month to each user of the wastewater facility.

C. The capital improvement charge is levied on users to provide for future capital improvements, extensions or reconstruction of the sewage treatment works. The capital improvement charge is computed by apportioning the annual amount to be accrued as a charge per 1,000 gallons of metered water consumption.

There shall be and there is hereby established a capital improvement charge of \$0.25 per 1,000 gallons of metered water consumption per month to each user of the wastewater facility.

D. The rehabilitation surcharge is levied on users to provide for current rehabilitation work that must be done to keep the Sanitary District's sewer

system in compliance with the requirements of the Metropolitan Water Reclamation District of Greater Chicago and the Illinois Environmental Protection Agency. There shall be and there is hereby established a rehabilitation surcharge of \$15.00 per month to each user of the wastewater facility.

- E. A minimum charge of \$30.75 per month shall be applied to all users whose water consumption does not exceed 3,000 gallons per month. This minimum charge consists of \$15.00 for O, M & R costs, \$0.00 for debt service costs, \$0.75 for capital improvement costs, and \$15.00 for the rehabilitation surcharge. Usage in excess of 3,000 gallons per month will be charged at a rate of \$5.25 per 1,000 gallons, plus the rehabilitation surcharge.
- F. Measurement of Flow: The volume of flow used for computing basic user charges and surcharges shall be the metered water consumption read to the lowest even increments of 1,000 gallons.
1. Devices for measuring the volume of waste discharge may be required by the Board of Trustees if these volumes cannot otherwise be determined from the metered water consumption records.
 2. Metering devices for determining the volume of wastewater shall be installed, owned, and maintained by the property owner. Following approval and installation, such meters may not be removed, unless service is canceled, without the consent of the Board of Trustees.
- G. Computation of Wastewater Service Charge: The wastewater service charge shall be computed by the following formula:

$$CW = [(CC + CD + CM) Vu] + RS$$

Where CW = Amount of wastewater service charged (\$) per billing period, but not less than \$30.75 per month.

CC = Capital Improvement Charge

CD = Debt Service Charge

CM = Charge for Ordinary Operation, Maintenance and Repair

Vu = Wastewater Volume, based on the number of 1,000 gallon units, for the billing period

RS = Rehabilitation Surcharge

- II. Said rate or charge for service shall become effective on April 1, 2018, and shall be collectible from all inhabitants of the Sanitary District who are connected to the sewerage system at the adoption of this Ordinance, and non-metered residential users of the wastewater facilities shall pay a flat rate charge of \$57.00 per month. The flat rate charge consists of \$40.00 for O, M & R costs, \$0.00 for debt service costs, \$2.00 for capital improvement costs, and \$15.00 for the rehabilitation surcharge. The flat rate charge will allow a maximum of 8,000 gallons per month. In the event use of the wastewater facilities is determined by the Board of Trustees to be in excess of 8,000 gallons per month, the Board of Trustees may require such flat rate user to install metering devices on the sewer main to measure the amount of service supplied.

Those properties eligible to connect to the District's wastewater facilities, but which are not so connected, will be billed at a rate of \$10.00 per month.

- III. Said rate or charge for service shall be payable bi-monthly. The owner of the premises, the occupant thereof and the user of the service shall be jointly and severally liable to pay for the services supplied such premises and the service is supplied to such premises by the South Palos Township Sanitary District only upon the condition that the owner of the premises, occupant and users of the service are jointly and severally liable therefor to the said Sanitary District. All bills for service shall be rendered bi-monthly and shall be due and payable within twenty-one (21) days of the date of the mailing of any bill. If payment of the full amount of the bill is not made within said period, then a late fee penalty of ten percent (10%) of the amount unpaid shall be added to said bill.
- IV. In the event the charge for service is not paid on or before its due date, such charge shall be deemed and is hereby declared to be delinquent. Whenever a bill due the District for service remains unpaid sixty (60) days after it has been rendered, the District shall file with the Recorder of Deeds of Cook County or the Registrar of Titles of Cook County, if the property affected is registered under the Torrens System, a statement of a lien claim. This statement shall contain the legal description of the premises serviced, the permanent tax index number for the property, the common address, the amount of the unpaid bill, and a notice that the District claims a lien for this amount as well as for all charges subsequent to the period covered by the bill. If the consumer whose bill is unpaid is not the owner of the premises notice of lien shall be mailed to the taxpayer whose name is shown on the tax bill of the parcel involved as the owner of the premises. The failure of the District to record such lien claim or to mail such notice or the failure of the owner to receive such notice, shall not affect the right to foreclose the lien for unpaid bills. Property subject to a lien for unpaid charges shall be sold for nonpayment of the same, and the proceeds of such sale shall be applied to pay the charges, after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosures shall be by complaint in equity in the name of the District. The District's attorney is hereby authorized and directed to institute such proceedings in the name of the District in any court having jurisdiction over such matters, against any property for which the bill for service remains unpaid sixty

(60) days after it has been rendered. Any lien recorded may be removed upon payment to the District of the delinquent amount, any other monies due the District, the amount charged to the District by the Cook County Recorder's Office relative to the recording of the lien, the amount to be charged the District by the Cook County Recorder's Office relative to the recording of the release (if the District, rather than the property owner, will be recording the release), and a fee of Three Hundred and No/100 Dollars (\$300.00) to cover the District's costs and expenses, including attorney's fees, in preparing and recording the lien and preparing and recording (if necessary) the release.

- V. If the rate or charge for such service is not paid seven (7) days after the due date, the District shall cause a notice, relative to any unpaid bill, to be sent by first class mail to the consumer and to the taxpayer whose name is shown on the tax bill of the parcel involved as the owner of record, if the consumer is not the owner. Said notice shall state as follows:
- A. That the bill is delinquent;
 - B. That if the consumer or owner of record would like to dispute or discuss the bill, a hearing is scheduled on the twelfth (12th) day following the date of the mailing of the notice; and
 - C. That if the bill remains unpaid, and if the individual fails to show up at the hearing, or shows up at the hearing and does not successfully dispute the bill or come to a settlement in relation to the bill, wastewater service and/or water service will be disconnected on the tenth (10th) day following the hearing and that a lien may be created against the real estate.

The hearing shall be conducted at the District's office, during normal business hours of the District, by the District President or his/her designee. In the event the consumer fails to attend the hearing, or shows up at the hearing but does not successfully dispute the bill or come to a settlement in relation to the bill, a second notice shall be sent to the consumer on the second day following the hearing date, by first class mail, reminding the consumer of the amount due and the date on which the wastewater service and/or water service will be disconnected.

- VI. It is hereby made the duty of the Treasurer of the South Palos Township Sanitary District to render bills each period for service and for all rates and charges in connection therewith, and to collect all monies due thereon.
- VII. The District Treasurer shall receive all such revenues from the wastewater system and all other funds and monies incident to the operation of such system as the same may be delivered to him and deposit the same in the depository of the District separate and apart from other funds of the District and said Treasurer shall administer such fund in every respect in the manner provided by the provisions of this Ordinance.

VIII. In the event wastewater service is disconnected in accordance with Section V above, said service shall not be reconnected until the consumer has brought his/her/its wastewater service account current and has reimbursed the District for the actual amount expended by the District relative to the disconnection and reconnection of said wastewater service. In the event water service is disconnected in accordance with Section V above, said service shall not be reconnected until the consumer has brought his/her/its wastewater service account current and has paid the reconnection charge set forth in Section 5 of Ordinance No. 0-91-4 entitled, "An Ordinance Regulating the Water Supply System of the South Palos Township Sanitary District."