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Lakes Region
Sanitary Dist.
25700 W. Old Grand Ave.
Ingelside, IL 60041

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Lake County IL Recorder
Mary Ellen Vanderventer Recorder
File **7593076**

LAKES REGION SANITARY DISTRICT
Lake County, Illinois

ORDINANCE NO. 2019-09-01

**AN ORDINANCE AMENDING THE CODES AND
ORDINANCES OF THE LAKES REGION SANITARY DISTRICT
REGARDING THE USE, OPERATION, ADMINISTRATION,
FEES, AND RELATED MATTERS**

WHEREAS, the Lakes Region Sanitary District (the "**District**") is a sanitary district and a unit of local government created under the Sanitary District Act of 1936; and

WHEREAS, the District owns and operates a system of sanitary sewers and related facilities (the "**District System**") for the purpose of collecting and transporting sewage from properties within the District and tributary to the District System; and

WHEREAS, the Board of Trustees of the District (the "**District Board**") serves as the corporate authority of the District with power and authority to enact rules, regulations, procedures, and requirements, and to establish fees and charges, with respect to the District System, and pursuant to such powers the District Board has enacted various ordinances, including without limitation Ordinance Nos. 2013-07-01, 2015-02-01, 2016-04-03, 2018-08-01, and 2018-09-01 (collectively, the "**District Ordinances**"); and

WHEREAS, pursuant to the provisions of Article VII, Section 10 of the Illinois Constitution, the Intergovernmental Cooperation Act, 5 ILCS 2201/1 *et seq.*, Section 33.1 of the Sanitary District Act of 1936 (70 ILCS 2805/33.1), and other applicable powers of the District under 70 ILCS 2805/1 *et seq.*, the District entered into, effective May 1, 2019 that certain "Restated and Amended Intergovernmental Agreement for Services and for Dissolution of the Lakes Region Sanitary District" (the "**Dissolution IGA**") with the County of Lake, Illinois (the "**County**"); and

WHEREAS, in furtherance of the ultimate assumption by the County of the District System pursuant to the Dissolution IGA and to promote the smooth and effective transition of operations

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of the District System to the County, the District has agreed as part of the Dissolution IGA to adopt such ordinances "as may be reasonably requested by the County"; and

WHEREAS, the District has received a request from the County to adopt by reference certain County ordinances relating to the operations of sanitary sewerage operations to supplement related District Ordinances; and

WHEREAS, the County has also requested that the District modify its fee schedules to comport with the County's billing system, effective December 1, 2019, at which time the County assumes all billing and related responsibilities relating to the District System in accordance with the Dissolution IGA; and

WHEREAS, the District Board has considered the requests of the County and finds them to be reasonable and will assist in the ultimate transition of the District System to the County; and

WHEREAS, the District Board hereby finds that amending the District Ordinances as herein provided is in the best interests of the District and its residents and will serve the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE LAKES REGION SANITARY DISTRICT, LAKE COUNTY, ILLINOIS, as follows:

SECTION ONE: **Recitals.** The foregoing recitals are hereby incorporated into and made a part of this Ordinance by this reference.

SECTION TWO: **Incorporation by Reference of Certain Regulatory Codes of the County of Lake.**

a. **Code Provisions Adopted.** The District Board hereby adopts by reference the provisions of Chapter 53, entitled "Sewer Regulations," of the Lake County Code (including all amendments thereto as may hereafter be approved by the County Board), which Chapter 53 is accessible at:

http://library.amlegal.com/nxt/gateway.dll?f=templates&fn=default.htm&vid=amlegal:lakecounty_il.

b. Applicability and Reconciliation of Conflicts. In the event of a conflict between the regulations, procedures, and requirements hereby adopted by reference and any other regulation, procedure, or requirement of the District Ordinances, the provision that the Director of the County Public Works Department (as designee of the District to operate the District System pursuant to the Dissolution IGA) determines to best serve the public health, safety, and welfare shall apply.

SECTION THREE: Incorporation by Reference of Certain Administrative and Fee-Related Code Provisions of the County of Lake.

a. Code Provisions Adopted. The District Board hereby adopts by reference the following provisions of Chapter 51, entitled "Water and Sewer Rates," of the Lake County Code (including all amendments thereto as may hereafter be approved by the County Board): Sections 51.01, 52.02, 51.03, 51.15, 51.21, 51.22, 51.23, 51.24, 51.25, and 51.26. Such provisions of Chapter 51 are accessible at:

http://library.amlegal.com/nxt/gateway.dll?f=templates&fn=default.htm&vid=amlegal:lake_county_il

b. Applicability and Reconciliation of Conflicts. In the event of a conflict between the code provisions hereby adopted by reference and any provision of the District Ordinances, the provision that the Director of the County Public Works Department (as designee of the District to operate the District System pursuant to the Dissolution IGA) determines to best serve the public health, safety, and welfare shall apply.

SECTION FOUR: Amendment to Fee Schedule. The fee schedule adopted by the District pursuant to Ordinance No. 2018-08-01 is hereby amended in its entirety, so that the District fee schedule shall hereafter be as set forth in Exhibit A attached to and made a part of this Ordinance.

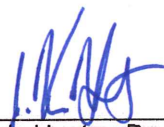
SECTION FIVE: Severability. If any provision of this ordinance is found to be invalid or unenforceable by a court of competent jurisdiction, such provision shall be deemed excised

from this Ordinance and shall not otherwise affect the validity or enforceability of the remaining provisions of this Ordinance.

SECTION SIX: Effective Date. This Ordinance shall be in full force and effect as of December 1, 2019 and following its passage, approval, and publication in the manner provided by law.


Passed and approved this 5TH day of SEPTEMBER, 2019

	<u>AYES</u>	<u>NAYS</u>	<u>ABSENT and/or NOT VOTING</u>
J. Kevin Hunter	X		
Craig E. Gilsinger			X
Bruce L. Shrake	X		



J. Kevin Hunter, President
Board of Trustees

ATTEST:



Bruce L. Shrake, Clerk
Board of Trustees

Exhibit A

**Lake County Fee Schedule
for Lakes Region Sanitary District Service Area**

Effective: December 1, 2019

Connection/Permit Fees

Northwest I (includes LRSD)	\$2,850 per RCE
NWRWF: Connection Fee	\$2,000 per RCE

Special Connection Fees/Recapture Fees

Nippersink Corridor - Special Connection Fee	\$1,062.24 per PE
South Trunk Sewer - North Service Area	\$319.00 per PE
South Trunk Sewer - South Service Area	\$680.00 per PE
South Trunk Sewer - Route 120 Crossing	\$76.00 per PE
Round Lake - Trunk Sewer Recapture Fee	\$389.85 per PE
Round Lake - Trunk Sewer Recapture Fee: Admin Fee	2% of Recapture Fee

User Fees

Flat Rate

Northwest (includes LCPW, LRSD and NWRWF)	\$43.50 per Month
Duck Lake Crossing	\$15.28 per Month
Nippersink	\$45.98 per Month

Metered Rate

General Service Area (includes LCPW, LRSD and NWRWF)	\$5.80 per 1,000 gallons
Fox Lake - Remington Point North (Base Charge for 2 month billing cycle)	\$48.85 Base per meter
+ per 1,000 Gallons (for all usage, no minimum)	\$1.01 per 1,000 gallons
Holiday Park and Thomas Place	\$4.27 per 1,000 gallons

Surcharge Rate

Excess Flow Facility	\$1.50 per RCE, per month
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Other Pass Through Rates:

Round Lake	\$6.75 per Month
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