

**ORDINANCE NO. 691**

**AN ORDINANCE OF THE URBANA & CHAMPAIGN SANITARY DISTRICT OF CHAMPAIGN COUNTY, ILLINOIS, ESTABLISHING CONNECTION FEES TO BE DEPOSITED IN AND APPROPRIATED AND EXPENDED FROM THE CONSTRUCTION FUND TO FINANCE THE NECESSARY CONSTRUCTION BY THE URBANA & CHAMPAIGN SANITARY DISTRICT OF TREATMENT PLANT FACILITIES AND APPURTENANCES THERETO**

***AND***

**ESTABLISHING INTERCEPTOR COST RECOVERY FEES TO BE DEPOSITED IN AND APPROPRIATED AND EXPENDED FROM THE INTERCEPTOR COST RECOVERY FEE FUND TO FINANCE THE NECESSARY CONSTRUCTION BY THE URBANA & CHAMPAIGN SANITARY DISTRICT OF INTERCEPTOR SEWER FACILITIES AND APPURTENANCES THERETO**

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**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE URBANA & CHAMPAIGN SANITARY DISTRICT OF CHAMPAIGN COUNTY, ILLINOIS:**

**SECTION 1. PUBLIC PURPOSE.**

The public purpose of this Ordinance is to:

1.1) establish connection fees to be deposited in and appropriated and expended from the various construction funds to finance the necessary construction by the Urbana & Champaign Sanitary District (hereinafter UCSD or District) of treatment plant facilities and appurtenances thereto. The construction of the treatment plant facilities and the extension of the services of the District in growth areas will provide for the preservation of the public health, comfort and convenience of all citizens served by the District. These purposes can best be accomplished by the adequate funding of the construction funds. The connection fees to the District's system are found to be fair and reasonable and are in proportion to the benefits received by those individuals electing to connect, rebuild or change their usage. Expenditures from and management of this fund are to be solely and specifically authorized by the UCSD Board of Trustees.

1.2) establish interceptor cost recovery fees to be deposited in and appropriated and expended from the interceptor cost recovery fee fund to finance the necessary construction of interceptor extensions, pump stations, forcemains and appurtenances thereto. The construction of interceptor facilities and the extension of the services of the District will provide for the preservation of the public health, comfort and convenience of all citizens served by the District. These purposes can best be accomplished by the adequate funding of the construction funds. The interceptor cost recovery fees are found to be fair and reasonable and are in proportion to the

benefits received by those individuals developing properties within UCSD. Expenditures from and management of this fund are to be solely and specifically authorized by the UCSD Board of Trustees.

## **SECTION 2. CONNECTION PERMITS AND FEES.**

### **2.1. CONNECTION PERMITS REQUIRED.**

A UCSD Connection Permit shall be required prior to modification of flows relating to any building consisting of a new, modified, or existing connection that impacts a public sewer. Without limitation, Connection Permits shall be required when:

- a) creating new sewer connections to a public sewer, or to a private sewer that impacts a public sewer,
- b) modifying sewer connections to a public sewer, or to a private sewer that impacts a public sewer,
- c) constructing a new building,
- d) reconstructing an existing building,
- e) increasing the number of residential units in an existing building,
- f) modifying of sewage flows from any non-residential portions of buildings with an existing connection that impacts a public sewer, or
- g) remodeling non-residential portions of buildings where any plumbing is modified.

### **2.2. CONNECTION PERMIT APPLICATION.**

No Connection Permit shall be issued until a complete Connection Permit Application is filed with and approved by UCSD. A complete Connection Permit Application includes:

- a) a completed Connection Permit Application Form,
- b) payment of connection fees and interceptor cost recovery fees as specified in this Ordinance to the UCSD,
- c) plans showing all new or modified plumbing associated with the building (not required for single family home permits),
- d) plans showing the sanitary sewer connection for the building(s) (not required for single family home permits),
- e) a copy of the Illinois Environmental Protection Agency (IEPA) Permit (if such permit is required for the project), and
- f) any additional information requested by UCSD staff to clarify the extent of the project or to determine the UCSD Connection Permit fee

## 2.3 CONNECTION FEES.

In establishing connection fees, the District shall consider the cost to administer the permit program and the cost of providing reserve sewerage works capacity. The fee for a Connection Permit shall be **\$355.00 per population equivalent (PE)** of loading for the proposed connection.

The PE values shall be based upon peak or instantaneous flow rates, not average rates of flow. The PE values shall account for expected quantities of unmetered flow, such as infiltration and inflow, from the sewers that connect the building to the treatment plant.

For residential buildings, the PE charged shall be established using the following schedule:

a) Efficiency or Studio Apartment	= 1	PE / apartment
b) 1 Bedroom Apartment		= 1.5 PE / apartment
c) Mobile Home		= 2.25 PE / home
d) 2 or 3 Bedroom Apartment		= 3 PE / apartment
e) 4 or more Bedroom Apartment	= 3.5	PE / apartment
f) Single-Family Dwelling	= 3.5	PE / home
g) Condominium Unit		= 3.5 PE / condominium
h) Other Dwelling Unit		= 3.5 PE / dwelling unit

For non-residential buildings, the PE charged shall be established as the highest of the following:

- a) 3.5 PE (minimum for non-residential permits, individual buildings, or individual non-residential units in multi-unit buildings),
- b) the PE value listed in the IEPA Permit Application for the project,
- c) the values based upon information in Title 35, Subtitle C, Chapter II, Section 370, Appendix B of Illinois Recommended Standards for Sewage Works, ***Commonly Used Quantities of Sewage Flows from Miscellaneous Type Facilities*** (based upon 100 gallons of sewage per day = 1 PE),
- d) the PE for flow (based upon 100 gallons of sewage per day = 1 PE),
- e) the PE 5-day biochemical oxygen demand (based upon 0.17 pounds per day = 1 PE), or
- f) the PE for suspended solids (based upon 0.20 pounds per day = 1 PE).

All other uses not herein classified are to be determined by UCSD staff based upon an analysis of similarly permitted properties and the best professional judgment of UCSD staff. .

All permit fee calculations may be appealed to the Board of Trustees of UCSD for the sole purpose of determining compliance with this Ordinance. Since the Connection Permit fees pay for capacity at the treatment plant that is estimated to be used by a given entity, no reductions in Connection Permit fees are anticipated due to the not-for-profit status of an entity.

## **2.4. RECALCULATED CONNECTION PERMIT FEES.**

If it is determined that at the completion of a project for which a Connection Permit has been granted, that the actual values for the inputs into the Connection Permit fee calculation are greater than the permitted amounts, the Connection Permit Fee charge will be revised to reflect the current values. Any additional Connection Permit Fees shall be due within 30 days of notification of recalculation.

## **2.5. CREDITS FOR FEES.**

Credits may be used to reduce the net costs of a connection permit fee or interceptor cost recovery permit fee.

An existing building, which is currently connected to the sewer system and which shall remain standing as a part of the construction project, shall receive a minimum credit of 3.5 PE.

An existing residence, which is currently paying User Charges, which has been consistently paying User Charges since before 2008 and which shall remain standing as a part of the construction project, shall receive a minimum credit of 3.5 PE.

An existing building, which is currently connected to the sewer system, and which shall remain standing as a part of the construction project, shall receive credit for all units or PE that were documented in previous permits even if no monies were paid for those permits.

If no permits were issued for an existing building, which is currently connected to the public sewer system, and which shall remain standing as a part of the construction project, said building shall receive credit for all units or PE loads that were present on January 1, 1990.

For all buildings or properties, a credit equal to the total dollars paid to UCSD for all previous connection fee permits or interceptor cost recovery fee permits allocated to that building or property shall be granted for all new connection permits or interceptor cost recovery permits issued for that building or property.

The credits for total dollars paid to UCSD for all previous permits may be transferable to a new building, if all of the following apply:

- a) the existing building(s) is demolished, and
- b) the newly permitted building is built to replace a demolished building(s), and
- c) the new building is built upon the same real property as the demolished building(s).

No other credits are transferable to different buildings than were permitted with the prior permit(s).

It shall be the obligation of the property owner to provide written documentation to substantiate credits claimed that are not documented in UCSD records.

Excess or unused credits shall remain with the building, or if there is no building, shall remain with the property. Excess or unused credits are not refundable.

### **SECTION 3. SEWER EXTENSION, CONNECTION, OR USE PERMITS AND FEES**

**3.1. SEWER EXTENSION, CONNECTION, OR USE PERMITS.** No extension shall be made of any sewer, nor shall a change in use be allowed, until the plans and specifications therefor have been approved by the Director of Engineering, a written Construction Permit Letter therefor is issued by the Urbana & Champaign Sanitary District, and the applicable interceptor cost recovery fee therefor is paid in full by the applicant to the District. No property shall be connected to, nor use, any sewer within the Urbana & Champaign Sanitary District until a written Construction Permit Letter therefor is issued by the Urbana & Champaign Sanitary District, and any applicable interceptor cost recovery fee therefor is paid in full by the applicant to the District.

**3.2. INTERCEPTOR COST RECOVERY FEES.** In establishing the interceptor cost recovery fee, the Board shall consider the cost of participation by the Urbana & Champaign Sanitary District in the extension of interceptor sewers. Before any sewer can be extended, or certain new uses allowed, within the Urbana & Champaign Sanitary District, a permit must first be issued by the Illinois Environmental Protection Agency and the Construction Permit Letter by UCSD. The interceptor cost recovery fee for any UCSD interceptor cost recovery permit shall be the calculated population equivalence (PE) times the interceptor cost recovery fee per PE. The PE shall be determined using the procedures specified in Section 2.3 above.

If an interceptor cost recovery fee was collected by the Urbana & Champaign Sanitary District for this property previously, no additional interceptor cost recovery fee is required, provided that the population equivalent stated for the property in the new permit application is equal to or less than the unallocated population equivalent stated in the prior permit application(s). Any increase in the stated population equivalent of the property shall be subject to collection of an additional interceptor cost recovery fee.

The following schedule of interceptor sewer cost recovery fees is implemented:

<b>Before May 1, 2015</b>	<b>\$200.00 per PE</b>
<b>After May 1, 2015</b>	<b>\$240.00 per PE</b>
<b>After May 1, 2016</b>	<b>\$280.00 per PE</b>
<b>After May 1, 2017</b>	<b>\$325.00 per PE</b>

The appropriate fee shall be due and payable at the time that the applicant submits the IEPA permit application forms to the Urbana & Champaign Sanitary District for signature. Execution of the IEPA permit application forms will be withheld until payment is received.

If the connected loading is changed after the interceptor cost recovery fee has been determined, the fee shall be recalculated and any underpayment shall be due and payable at the time that a building connection permit application is submitted to the Urbana & Champaign Sanitary District for its approval, or no later 30 days from when the underpayment is discovered if the permit has already been issued.

#### **SECTION 4. FINES, PENALTIES AND SUITS.**

Any person violating or failing to comply with any of the terms or provisions of this Ordinance shall be guilty of a misdemeanor and on conviction thereof shall be subject to a fine of not less than \$25.00 nor more than \$200.00 for the first offense; and for each subsequent offense shall be subject to a fine of not less than \$50.00 nor more than \$300.00 to be recovered before any court of competent jurisdiction. UCSD is hereby authorized and empowered to institute and prosecute any and all proceedings, suits and actions necessary to collect any and all fines and penalties herein provided for and is also hereby authorized and empowered to institute and prosecute any and all suits at law or in equity as may be appropriate or necessary to prevent or abate unlawful connections to UCSD system in violation of the provisions of this Ordinance.

#### **SECTION 5. VALIDITY OF ORDINANCE.**

In the event any one or more of the provisions of this ordinance, for any reason, shall be held to be illegal or invalid, such illegality shall not render illegal or invalid all other provisions of this ordinance, and in every such event this ordinance shall be construed and enforced as if such illegal or invalid provisions had not been contained herein.

#### **SECTION 6. ORDINANCE IN FORCE.**

This Ordinance shall be in full force and effect from and after its passage, adoption, approval and publication in accordance with the law or May 1, 2015, whichever time or event occurs the later; Ordinances Numbered: 575, 635, 676, 681, 685, 574, 591, 674, and 689 are hereby repealed and all ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance are hereby also repealed on the effective date of this ordinance.