

AN ACT in relation to sanitary districts.

Be it enacted by the People of the State of Illinois,
represented in the General Assembly:

Section 5. The Sanitary District Act of 1917 is amended
by changing Section 27 as follows:

(70 ILCS 2405/27) (from Ch. 42, par. 317i)

Sec. 27. (a) Any sanitary district created under this Act
which does not have any outstanding and unpaid revenue bonds
issued under the provisions of this Act and which has a
population not in excess of 5000 persons and where that
sanitary district has entered into an intergovernmental
agreement with a municipality for the mutual expenditure of
funds in joint work and for the transfer of assets under the
Municipality and Sanitary District Mutual Expenditure Act may
be dissolved as follows:

The board of trustees of a sanitary district may petition
the circuit court to dissolve the district. Such petition
must show: (1) the reasons for dissolving the district; (2)
that there are no debts of the district outstanding or that
there are sufficient funds on hand or available to satisfy
such debts; (3) that no contract or federal or state permit
or grant will be impaired by the dissolution of the sanitary
district; (4) that all assets and responsibilities of the
sanitary district have been properly assigned to the
successor municipality; and (5) that the sanitary district
will pay any court costs incurred in connection with the
petition.

Upon adequate notice, including appropriate notice to the
Illinois Environmental Protection Agency, the circuit court
shall hold a hearing to determine whether there is good
reason for dissolving the district and whether the

allegations of the petition are true. If the court finds for the petitioners it shall order the district dissolved but if the court finds against the petitioners the petition shall be dismissed. In either event, the costs shall be taxed against the sanitary district. The order shall be final. Separate or joint appeals may be taken by any of the parties affected thereby or by the trustees of the sanitary district, as in other civil cases.

(b) The Village of Rockton has the power to dissolve and acquire all of the assets and responsibilities of a sanitary district (i) that is located wholly within Winnebago County and (ii) that has 90% of its service area within the corporate limits of the Village of Rockton. The corporate authorities of the Village of Rockton, after providing at least 60 days' prior written notice to the sanitary district, may vote to dissolve and acquire the existing sanitary district formed pursuant to this Act upon showing: (1) the reasons for dissolving the district; (2) that there are no outstanding debts of the district or that the Village of Rockton has sufficient funds on hand or available to satisfy any such debts; (3) that no federal or state permit or grant will be impaired by dissolution of the existing sanitary district; (4) that the Village of Rockton agrees to assume all assets and responsibilities of the sanitary district; and (5) that adequate notice has been given to the Illinois Environmental Protection Agency regarding the dissolution of the sanitary district. Any costs associated with the dissolution of the existing sanitary district may be taxed against the sanitary district once the Village of Rockton has acquired all the assets and responsibilities of the district. The sanitary district may file an appeal with the circuit court, which shall hold a hearing, to determine whether the requirements of this section has been met. If the court finds that the requirements of this section have been met, it

shall uphold the action of the Village of Rockton to dissolve the district. If the court finds that said requirements have not been met, it shall order that the sanitary district not be dissolved.

(Source: P.A. 88-572, eff. 8-11-94.)

Section 99. Effective date. This Act takes effect upon becoming law.