



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB1954

Introduced 2/15/2013, by Sen. Terry Link

SYNOPSIS AS INTRODUCED:

70 ILCS 2305/3	from Ch. 42, par. 279
70 ILCS 2305/4	from Ch. 42, par. 280
70 ILCS 2305/7	from Ch. 42, par. 283
70 ILCS 2305/7.1	from Ch. 42, par. 283.1
70 ILCS 2305/9	from Ch. 42, par. 285
70 ILCS 2305/11	from Ch. 42, par. 287
70 ILCS 2305/20	from Ch. 42, par. 296

Amends the North Shore Sanitary District Act. Provides that following each decennial redistricting, the sanitary district board of trustees shall be randomly divided (now divided) into 2 groups and a random process shall be used to determine the term of each trustee. Provides that each trustee shall execute a bond with security in the sum of \$250,000 (now \$10,000). Provides that the board may select a secretary, treasurer, executor director, and attorney (now secretary, treasurer, chief engineer, superintendent, and attorney). Provides that the board may provide for the treatment (now disposal) of sewage. Further provides that the board shall provide treatment works or plants (now disposal works or plants) for the treatment (now disposal) of sewage. Further provides that the board may provide works for the treatment (now disposal) of industrial and raw sewage. Provides that a corporation under this Act may borrow money but shall not become indebted to an amount in the aggregate to exceed 4.50% on the valuation of taxable property. Deletes a reference to an elected board of trustees. Provides that in the case of an emergency affecting the public health, an emergency contract shall not be less than \$40,000 and shall not exceed \$600,000 (now \$250,000). Provides that before compelling a change in the method of sewage disposal, the board of trustees shall provide some other method of sewage treatment (now disposal). Effective immediately.

LRB098 10296 OMW 40481 b

1 AN ACT concerning local government.

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

4 Section 5. The North Shore Sanitary District Act is amended
5 by changing Sections 3, 4, 7, 7.1, 9, 11, and 20 as follows:

6 (70 ILCS 2305/3) (from Ch. 42, par. 279)

7 Sec. 3. Election of trustees; terms. The corporate
8 authority of the North Shore Sanitary District shall consist of
9 5 trustees.

10 Within 20 days after the adoption of the Act, as provided
11 in Section 1, the county governing body shall proceed to divide
12 the sanitary district into 5 wards for the purpose of electing
13 trustees. One trustee shall be elected for each ward on the
14 date of the next regular county election. In each sanitary
15 district organized pursuant to the provisions of this Act prior
16 to the effective date of this amendatory Act of 1975, one
17 trustee shall be elected for each ward on the date of the
18 regular county election in the year 1976. However, the
19 population in no one ward shall be less than 1/6 of the
20 population of the whole district and the territory in each of
21 the wards shall be composed of contiguous territory in as
22 compact form as practicable. A portion of each ward shall abut
23 the west shore of Lake Michigan and the boundaries of the

1 respective wards shall coincide with precinct boundaries and
2 the boundaries of existing municipalities as nearly as
3 practicable. In the year 1981, and every 10 years thereafter,
4 the sanitary district board of trustees shall reapportion the
5 district, so that the respective wards shall conform as nearly
6 as practicable with the above requirements as to population,
7 shape and territory.

8 All trustees elected from 1994 through 2011 shall assume
9 office on the first Monday in December following the general
10 election. All trustees elected in 2012 or thereafter shall
11 assume office on the second Wednesday in December following the
12 general election.

13 In the year 1982, and every 10 years thereafter, following
14 each decennial Federal census, all 5 trustees shall be elected.
15 Immediately following each decennial redistricting, the
16 sanitary district board of trustees shall be randomly divided
17 ~~divide the wards~~ into 2 groups, one of which shall consist of 3
18 wards and the other shall consist of 2 wards. A random process
19 shall again be used to determine which trustees ~~Trustees~~ from
20 one group shall serve terms of 4 years, 4 years and 2 years;
21 and which trustees from the other group shall serve terms of 2
22 years, 4 years and 4 years.

23 Each of the trustees, upon entering the duties of their
24 respective offices, shall execute a bond with security, in the
25 amount and form to be approved by the corporate authorities,
26 payable to the district, in the penal sum of not less than

1 \$250,000.00, ~~\$10,000.00,~~ as directed by resolution or
2 ordinance, conditioned upon the faithful performance of the
3 duties of the office. Each bond shall be filed with and
4 preserved by the board secretary.

5 When a vacancy exists in the office of trustees of any
6 sanitary district organized under the provisions of this Act,
7 the vacancy shall be filled by appointment by the president of
8 the sanitary district board of trustees, with the advice and
9 consent of the sanitary district board of trustees, until the
10 next regular election at which trustees of the sanitary
11 district are elected, and shall be made a matter of record in
12 the office of the county clerk in the county in which the
13 district is located.

14 A majority of the board of trustees shall constitute a
15 quorum, but a smaller number may adjourn from day to day. No
16 trustee or employee of the district shall be directly or
17 indirectly interested in any contract, work or business of the
18 district, or the sale of any article, the expense, price or
19 consideration of which is paid by the district; nor in the
20 purchase of any real estate or other property belonging to the
21 district, or which shall be sold for taxes or assessments, or
22 by virtue of legal process at the suit of the district. The
23 trustees have the power to provide and adopt a corporate seal
24 for the district.

25 (Source: P.A. 97-500, eff. 8-23-11.)

1 (70 ILCS 2305/4) (from Ch. 42, par. 280)

2 Sec. 4. Board of trustees; powers; compensation. The
3 trustees shall constitute a board of trustees for the district.
4 The board of trustees is the corporate authority of the
5 district, and shall exercise all the powers and manage and
6 control all the affairs and property of the district. The board
7 shall elect a president and vice-president from among their own
8 number. In case of the death, resignation, absence from the
9 state, or other disability of the president, the powers, duties
10 and emoluments of the office of the president shall devolve
11 upon the vice-president, until the disability is removed or
12 until a successor to the president is appointed and chosen in
13 the manner provided in this Act. The board may select a
14 secretary, treasurer, executive director, ~~chief engineer,~~
15 ~~superintendent~~ and attorney, and may provide by ordinance for
16 the employment of ~~such clerks and~~ other employees as the board
17 may deem necessary for the municipality. The board may appoint
18 such other officers and hire such employees to manage and
19 control the operations of the district as it deems necessary;
20 provided, however, that the board shall not employ an
21 individual as a wastewater operator whose Certificate of
22 Technical Competency is suspended or revoked under rules
23 adopted by the Pollution Control Board under item (4) of
24 subsection (a) of Section 13 of the Environmental Protection
25 Act. All employees selected by the board shall hold their
26 respective offices during the pleasure of the board, and give

1 such bond as may be required by the board. The board may
2 prescribe the duties and fix the compensation of all the
3 officers and employees of the sanitary district. However, the
4 president of the board of trustees shall not receive more than
5 \$10,000 per year and the other members of the board shall not
6 receive more than \$7,000 per year. However, beginning with the
7 commencement of the new term of each board member in 1993, the
8 president shall not receive more than \$11,000 per year and each
9 other member of the board shall not receive more than \$8,000
10 per year. Beginning with the commencement of the first new term
11 after the effective date of this amendatory Act of the 95th
12 General Assembly, the president of the board shall not receive
13 more than \$14,000 per year, and each other member of the board
14 shall not receive more than \$11,000 per year. The board of
15 trustees has full power to pass all necessary ordinances, rules
16 and regulations for the proper management and conduct of the
17 business of the board and of the corporation, and for carrying
18 into effect the objects for which the sanitary district was
19 formed. The ordinances may provide for a fine for each offense
20 of not less than \$100 or more than \$1,000. Each day's
21 continuance of a violation shall be a separate offense. Fines
22 under this Section are recoverable by the sanitary district in
23 a civil action. The sanitary district is authorized to apply to
24 the circuit court for injunctive relief or mandamus when, in
25 the opinion of the chief administrative officer, the relief is
26 necessary to protect the sewerage system of the sanitary

1 district.

2 The board of trustees shall have the authority to change
3 the name of the District, by ordinance, to the North Shore
4 Water Reclamation District. If an ordinance is passed pursuant
5 to this paragraph, all provisions of this Act shall apply to
6 the newly renamed district.

7 (Source: P.A. 95-607, eff. 9-11-07.)

8 (70 ILCS 2305/7) (from Ch. 42, par. 283)

9 Sec. 7. Powers of the board of trustees. The board of
10 trustees of any sanitary district organized under this Act may
11 provide for the treatment ~~disposal~~ of the sewage thereof and
12 save and preserve the water supplied to the inhabitants of such
13 district from contamination. For that purpose the board may
14 construct and maintain an enclosed conduit or conduits, main
15 pipes, wholly or partially submerged, buried or otherwise, and
16 by means of pumps or otherwise cause such sewage to flow or to
17 be forced through such conduit or conduits, pipe or pipes to
18 and into any ditch or canal constructed and operated by any
19 other sanitary district, after having first acquired the right
20 so to do. Such board may provide for the drainage of such
21 district by laying out, establishing, constructing and
22 maintaining one or more channels, drains, ditches and outlets
23 for carrying off and disposing of the drainage (including the
24 sewage) of such district, together with such adjuncts and
25 additions thereto as may be necessary or proper to cause such

1 channels or outlets to accomplish the end for which they are
2 designed, in a satisfactory manner, including pumps and pumping
3 stations and the operation of the same. Such board shall
4 provide suitable and modernly equipped sewage treatment
5 ~~disposal~~ works or plants for the separation and treatment
6 ~~disposal~~ of all solids and deleterious matter from the liquids,
7 and shall treat and purify the residue of such sewage so that
8 when it flows into any lake, it will not injuriously
9 contaminate the waters thereof. The board shall adopt any
10 feasible method to accomplish the object for which such
11 sanitary district may be created, and may also provide means
12 whereby the sanitary district may reach and procure supplies of
13 water for diluting and flushing purposes. The board of trustees
14 of any sanitary district formed under this Act may also enter
15 into an agreement to sell, convey, or disburse treated
16 wastewater to any public or private entity located within or
17 outside of the boundaries of the sanitary district. Any use of
18 treated wastewater by any public or private entity shall be
19 subject to the orders of the Pollution Control Board. The
20 agreement may not exceed 20 years.

21 Nothing set forth in this Section may be construed to
22 empower, authorize or require such board of trustees to operate
23 a system of water works for the purpose of furnishing or
24 delivering water to any such municipality or to the inhabitants
25 thereof without payment therefor at such rates as the board may
26 determine. Nothing in this Act shall require a sanitary

1 district to extend service to any individual residence or other
2 building within the district, and it is the intent of the
3 Illinois General Assembly that any construction contemplated
4 by this Section shall be restricted to construction of works
5 and main or interceptor sewers, conduits, channels and similar
6 facilities, but not individual service lines. Nothing in this
7 Act contained authorizes the trustees to flow the sewage of
8 such district into Lake Michigan. Any such plan for sewage
9 disposal by any sanitary district organized hereunder is
10 prohibited, unless such sewage has been treated and purified as
11 provided in this Section, all laws of the Federal government
12 relating to the pollution of navigable waters have been
13 complied with, the approval of plans and constructions of
14 outlets and connection with any of the streams or navigable
15 bodies of water within or bordering upon the State has been
16 obtained from the Department of Natural Resources of the State.
17 The discharge of any sewage from any such district into any of
18 the streams or navigable bodies of water within or bordering
19 upon the State is subject to the orders of the Pollution
20 Control Board. Nothing in this Act contained may be construed
21 as superseding or in any manner limiting the provisions of the
22 Environmental Protection Act.

23 After the construction of such sewage disposal plant, if
24 the board finds that it will promote the prevention of
25 pollution of waters of the State, such board of trustees may
26 adopt ordinances or rules and regulations, prohibiting or

1 regulating the discharge to sewers of inadmissible wastes or
2 substances toxic to biological wastewater treatment processes.
3 Inadmissible wastes include those which create a fire or
4 explosion hazard in the sewer or treatment works; those which
5 will impair the hydraulic capacity of sewer systems; and those
6 which in any quantity, create a hazard to people, sewer
7 systems, treatment processes, or receiving waters. Substances
8 that may be toxic to wastewater treatment processes include
9 copper, chromium, lead, zinc, arsenic and nickel and any
10 poisonous compounds such as cyanide or radioactive wastes which
11 pass through wastewater treatment plants in hazardous
12 concentrations and menace users of the receiving waters. Such
13 ordinances or rules and regulations shall be effective
14 throughout the sanitary district, in the incorporated areas as
15 well as the unincorporated areas and all public sewers therein.
16 (Source: P.A. 97-500, eff. 8-23-11.)

17 (70 ILCS 2305/7.1) (from Ch. 42, par. 283.1)

18 Sec. 7.1. In providing works for the treatment ~~disposal~~ of
19 industrial sewage, commonly called industrial wastes, whether
20 the industrial sewage is disposed of in combination with
21 municipal sewage or independently, the sanitary district has
22 power to apportion and collect therefore, from the producer
23 thereof, fair additional construction, maintenance and
24 operating costs over and above those covered by normal taxes,
25 and in case of dispute as to the fairness of such additional

1 construction, maintenance and operating costs, then the same
2 shall be determined by an arbitration board of 3 engineers, one
3 appointed by the sanitary district, one appointed by such
4 producer or producers or their legal representatives, and the
5 third to be appointed by the 2 engineers selected as above
6 described. In the event the 2 engineers so selected fail to
7 agree upon a third engineer then upon the petition of either of
8 the parties the circuit judge shall appoint such third
9 engineer. A decision of a majority of the arbitration board
10 shall be binding on both parties and the cost of the services
11 of the arbitration board shall be shared by both parties
12 equally. Such decision is an administrative decision and is
13 subject to judicial review as provided in the Administrative
14 Review Law.

15 In providing works, including the main pipes referred to in
16 Section 7, for the treatment disposal of raw sewage, in the
17 manner provided in this Act, whether such sewage is treated
18 ~~disposed of~~ in combination with municipal sewage or
19 independently, the sanitary district has power to collect a
20 fair and reasonable charge for connection to its system in
21 addition to those charges covered by normal taxes, for the
22 construction, expansion and extension of the works of the
23 system, the charge to be assessed against new or additional
24 users of the system and to be known as a connection charge.
25 Such construction, expansion and extension of the works of the
26 system shall include proposed or existing collector systems and

1 may, at the discretion of such district, include connections by
2 individual properties. The charge for connection shall be
3 determined by the district and may equal or exceed the actual
4 cost to the district of the construction, expansion or
5 extension of the works of the system required by the
6 connection. The funds thus collected shall be used by the
7 sanitary district for its general corporate purposes with
8 primary application thereof being made by the necessary
9 expansion of the works of the system to meet the requirements
10 of the new users thereof.

11 (Source: P.A. 85-480; 85-782.)

12 (70 ILCS 2305/9) (from Ch. 42, par. 285)

13 Sec. 9. The corporation may borrow money for corporate
14 purposes and may issue bonds therefor, but shall not become
15 indebted, in any manner, or for any purpose, to an amount in
16 the aggregate to exceed 4.50% ~~5.75%~~ on the valuation of taxable
17 property therein, to be ascertained by the last assessment for
18 state and county taxes previous to the incurring of such
19 indebtedness or, until January 1, 1983, if greater, the sum
20 that is produced by multiplying the district's 1978 equalized
21 assessed valuation by the debt limitation percentage in effect
22 on January 1, 1979. Whenever the board of trustees of such
23 district desires to issue bonds hereunder they shall certify
24 the question to the proper election officials who shall submit
25 the question at an election to be held in such district in

1 accordance with the general election law. In addition to the
2 requirements of the general election law, the notice of
3 election shall state the amount of bonds to be issued. The
4 result of the election shall be entered upon the records of the
5 district. If it shall appear that a majority of the voters
6 voting at the election on the question shall have voted in
7 favor of the issue of the bonds, the board of trustees shall
8 order and direct the execution of the bonds for and on behalf
9 of the district. All bonds issued hereunder shall mature in not
10 exceeding 20 annual installments. The question shall be in
11 substantially the following form:

12 -----
13 Proposition to issue bonds YES
14 of..... district to the -----
15 amount of..... dollars. NO
16 -----

17 Provided that the corporation may borrow money for
18 corporate purposes, and may issue bonds therefor, without
19 holding an election or referendum upon the question, if the
20 corporation or the board of trustees thereof has been directed
21 by an order issued by the circuit court or by an administrative
22 agency of the State of Illinois having jurisdiction to issue
23 such order, to abate its discharge of untreated or inadequately
24 treated sewage, and such borrowing is deemed necessary by the
25 board of trustees of the Sanitary District to make possible
26 compliance with such order. The amount of money that the

1 corporation may borrow to abate such sewage discharge shall be
2 limited to that required for that purpose plus such reasonable
3 future expansion as shall be approved by the court or an
4 administrative agency of the State of Illinois having
5 jurisdiction. The ordinance providing for such bonds shall set
6 out the fact that such bonds are deemed necessary to make
7 possible compliance with the order, and shall be published or
8 posted in the manner provided in this Act for publication or
9 posting of ordinances making appropriations. The ordinance
10 shall be in full force and effect after its adoption and
11 publication or posting, as herein provided, notwithstanding
12 any provision in this Act or any other law to the contrary.

13 (Source: P.A. 81-1489.)

14 (70 ILCS 2305/11) (from Ch. 42, par. 287)

15 Sec. 11. Except as otherwise provided in this Section, all
16 contracts for purchases or sales by the municipality, the
17 expense of which will exceed the mandatory competitive bid
18 threshold, shall be let to the lowest responsible bidder
19 therefor upon not less than 14 days' public notice of the terms
20 and conditions upon which the contract is to be let, having
21 been given by publication in a newspaper of general circulation
22 published in the district, and the board may reject any and all
23 bids and readvertise. In determining the lowest responsible
24 bidder, the board shall take into consideration the qualities
25 and serviceability of the articles supplied, their conformity

1 with specifications, their suitability to the requirements of
2 the district, the availability of support services, the
3 uniqueness of the service, materials, equipment, or supplies as
4 it applies to network integrated computer systems, the
5 compatibility of the service, materials, equipment or supplies
6 with existing equipment, and the delivery terms. Contracts for
7 services in excess of the mandatory competitive bid threshold
8 may, subject to the provisions of this Section, be let by
9 competitive bidding at the discretion of the district board of
10 trustees. All contracts for purchases or sales that will not
11 exceed the mandatory competitive bid threshold may be made in
12 the open market without publication in a newspaper as above
13 provided, but whenever practical shall be based on at least 3
14 competitive bids. For purposes of this Section, the "mandatory
15 competitive bid threshold" is a dollar amount equal to 0.1% of
16 the total general fixed assets of the district as reported in
17 the most recent required audit report. In no event, however,
18 shall the mandatory competitive bid threshold dollar amount be
19 less than \$10,000, nor more than \$40,000.

20 Cash, a cashier's check, a certified check, or a bid bond
21 with adequate surety approved by the board of trustees as a
22 deposit of good faith, in a reasonable amount, but not in
23 excess of 10% of the contract amount, may be required of each
24 bidder by the district on all bids involving amounts in excess
25 of the mandatory competitive bid threshold and, if so required,
26 the advertisement for bids shall so specify.

1 Contracts which by their nature are not adapted to award by
2 competitive bidding, including, without limitation, contracts
3 for the services of individuals, groups or firms possessing a
4 high degree of professional skill where the ability or fitness
5 of the individual or organization plays an important part,
6 contracts for financial management services undertaken
7 pursuant to "An Act relating to certain investments of public
8 funds by public agencies", approved July 23, 1943, as now or
9 hereafter amended, contracts for the purchase or sale of
10 utilities, contracts for commodities including supply
11 contracts for natural gas and electricity, contracts for
12 materials economically procurable only from a single source of
13 supply, contracts for services, supplies, materials, parts, or
14 equipment which are available only from a single source or
15 contracts for maintenance, repairs, OEM supplies, or OEM parts
16 from the manufacturer or from a source authorized by the
17 manufacturer, contracts for the use, purchase, delivery,
18 movement, or installation of data processing equipment,
19 software, or services and telecommunications and interconnect
20 equipment, software, or services, contracts for duplicating
21 machines and supplies, contracts for goods or services procured
22 from another governmental agency, purchases of equipment
23 previously owned by an entity other than the district itself,
24 purchases of used equipment, purchases at auction or similar
25 transactions which by their very nature are not suitable to
26 competitive bids, and leases of real property where the

1 sanitary district is the lessee shall not be subject to the
2 competitive bidding requirements of this Section.

3 The District may use a design-build procurement method for
4 any public project which shall not be subject to the
5 competitive bidding requirements of this Section provided the
6 Board of Trustees approves the contract for the public project
7 by a vote of 4 of the 5 trustees. For the purposes of this
8 Section, "design-build" means a delivery system that provides
9 responsibility within a single contract for the furnishing of
10 architecture, engineering, land surveying and related services
11 as required, and the labor, materials, equipment, and other
12 construction services for the project.

13 In the case of an emergency affecting the public health or
14 safety so declared by the Board of Trustees of the municipality
15 at a meeting thereof duly convened, which declaration shall
16 require the affirmative vote of four of the five Trustees
17 ~~elected~~, and shall set forth the nature of the danger to the
18 public health or safety, contracts totaling not more than the
19 emergency contract cap may be let to the extent necessary to
20 resolve such emergency without public advertisement or
21 competitive bidding. For purposes of this Section, the dollar
22 amount of an emergency contract shall not ~~"emergency contract~~
23 ~~cap" is a dollar amount equal to 0.4% of the total general~~
24 ~~fixed assets of the district as reported in the most recent~~
25 ~~required audit report. In no event, however, shall the~~
26 ~~emergency contract cap dollar amount~~ be less than \$40,000, nor

1 more than \$600,000 ~~\$250,000~~. The Resolution or Ordinance in
2 which such declaration is embodied shall fix the date upon
3 which such emergency shall terminate which date may be extended
4 or abridged by the Board of Trustees as in their judgment the
5 circumstances require. A full written account of any such
6 emergency, together with a requisition for the materials,
7 supplies, labor or equipment required therefor shall be
8 submitted immediately upon completion and shall be open to
9 public inspection for a period of at least one year subsequent
10 to the date of such emergency purchase. Within 30 days after
11 the passage of the resolution or ordinance declaring an
12 emergency affecting the public health or safety, the
13 municipality shall submit to the Illinois Environmental
14 Protection Agency the full written account of any such
15 emergency along with a copy of the resolution or ordinance
16 declaring the emergency, in accordance with requirements as may
17 be provided by rule.

18 To address operating emergencies not affecting the public
19 health or safety, the Board of Trustees shall authorize, in
20 writing, officials or employees of the sanitary district to
21 purchase in the open market and without advertisement any
22 supplies, materials, equipment, or services for immediate
23 delivery to meet the bona fide operating emergency, without
24 filing a requisition or estimate therefor, in an amount not in
25 excess of \$100,000; provided that the Board of Trustees must be
26 notified of the operating emergency. A full, written account of

1 each operating emergency and a requisition for the materials,
2 supplies, equipment, and services required to meet the
3 operating emergency must be immediately submitted by the
4 officials or employees authorized to make purchases to the
5 Board of Trustees. The account must be available for public
6 inspection for a period of at least one year after the date of
7 the operating emergency purchase. The exercise of authority
8 with respect to purchases for a bona fide operating emergency
9 is not dependent on a declaration of an operating emergency by
10 the Board of Trustees.

11 The competitive bidding requirements of this Section do not
12 apply to contracts, including contracts for both materials and
13 services incidental thereto, for the repair or replacement of a
14 sanitary district's treatment plant, sewers, equipment, or
15 facilities damaged or destroyed as the result of a sudden or
16 unexpected occurrence, including, but not limited to, a flood,
17 fire, tornado, earthquake, storm, or other natural or man-made
18 disaster, if the board of trustees determines in writing that
19 the awarding of those contracts without competitive bidding is
20 reasonably necessary for the sanitary district to maintain
21 compliance with a permit issued under the National Pollution
22 Discharge Elimination System (NPDES) or any successor system or
23 with any outstanding order relating to that compliance issued
24 by the United States Environmental Protection Agency, the
25 Illinois Environmental Protection Agency, or the Illinois
26 Pollution Control Board. The authority to issue contracts

1 without competitive bidding pursuant to this paragraph expires
2 6 months after the date of the writing determining that the
3 awarding of contracts without competitive bidding is
4 reasonably necessary.

5 No Trustee shall be interested, directly or indirectly, in
6 any contract, work or business of the municipality, or in the
7 sale of any article, whenever the expense, price or
8 consideration of the contract work, business or sale is paid
9 either from the treasury or by any assessment levied by any
10 Statute or Ordinance. No Trustee shall be interested, directly
11 or indirectly, in the purchase of any property which (1)
12 belongs to the municipality, or (2) is sold for taxes or
13 assessments of the municipality, or (3) is sold by virtue of
14 legal process in the suit of the municipality.

15 A contract for any work or other public improvement, to be
16 paid for in whole or in part by special assessment or special
17 taxation, shall be entered into and the performance thereof
18 controlled by the provisions of Division 2 of Article 9 of the
19 "Illinois Municipal Code", approved May 29, 1961, as heretofore
20 or hereafter amended, as near as may be. However, contracts may
21 be let for making proper and suitable connections between the
22 mains and outlets of the respective sanitary sewers in the
23 district with any conduit, conduits, main pipe or pipes that
24 may be constructed by such sanitary district.

25 (Source: P.A. 95-607, eff. 9-11-07; 96-49, eff. 1-1-10.)

1 (70 ILCS 2305/20) (from Ch. 42, par. 296)

2 Sec. 20. (a) The board of trustees of any such sanitary
3 district shall have power and authority to prevent the
4 pollution of any waters from which a water supply may be
5 obtained by any city, town or village within said district, and
6 shall have the right and power to appoint and support a
7 sufficient police force, the members of which may have and
8 exercise police powers over the territory within such drainage
9 district, and over the waters from which said water supply may
10 be obtained, for a distance of three miles from the shore
11 thereof, for the purpose of preventing the pollution of said
12 waters, and any interference with any of the property of such
13 drainage district; but such police officers when acting within
14 the limits of any such city, town or village, shall act in aid
15 of the regular police force thereof, and shall then be subject
16 to the direction of its chief of police, city or village
17 marshals or other head thereof: Provided, that in so doing they
18 shall not be prevented or hindered from executing the orders
19 and authority of said board of trustees of such drainage
20 district: Provided, further, that before compelling a change in
21 any method of disposal of sewage so as to prevent the said
22 pollution of any water, the board of trustees of such district
23 shall first provide some other method of sewage treatment
24 ~~disposal~~.

25 (b) The board of trustees of any sanitary district
26 organized under this Act is authorized to apply to the circuit

1 court for injunctive relief or mandamus when, in the opinion of
2 the board of trustees, such relief is necessary to prevent the
3 pollution of any waters from which a water supply may be
4 obtained by any municipality within the district.

5 (c) The sanitary district shall have the power and
6 authority to prevent the pollution of any waters from which a
7 water supply may be obtained by any city, town or village. The
8 sanitary district, acting through the chief administrative
9 officer of such sanitary district, shall have the power to
10 commence an action or proceeding in the circuit court in and
11 for the county in which the district is located for the purpose
12 of having the pollution stopped and prevented either by
13 mandamus or injunction. The court shall specify a time, not
14 exceeding 20 days after the service of the copy of the
15 petition, in which the party complained of must answer the
16 petition, and in the meantime, the party be restrained. In case
17 of default in answer or after answer, the court shall
18 immediately inquire into the facts and circumstances of the
19 case and enter an appropriate order in respect to the matters
20 complained of. An appeal may be taken in the same manner and
21 with the same effect as appeals are taken in other actions for
22 mandamus or injunction.

23 (Source: P.A. 85-1136.)

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