

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 Township Code is amended by changing Section
5 205-140 as follows:

6 (60 ILCS 1/205-140)

7 Sec. 205-140. Initiating proceedings for particular
8 locality; rates and charges; lien.

9 (a) A township board may initiate proceedings under
10 Sections 205-130 through 205-150 in the manner provided by
11 Section 205-20.

12 (b) The township board may establish the rate or charge to
13 each user of the waterworks system or sewerage system, or
14 combined waterworks and sewerage system, or improvement or
15 extension at a rate that will be sufficient to pay the
16 principal and interest of any bonds issued to pay the cost of
17 the system, improvement, or extension and the maintenance and
18 operation of the system, improvement, or extension and may
19 provide an adequate depreciation fund for the bonds. Charges or
20 rates shall be established, revised, and maintained by
21 ordinance and become payable as the township board determines
22 by ordinance.

23 (c) The charges or rates are liens upon the real estate

1 upon or for which sewerage service is supplied whenever the
2 charges or rates become delinquent as provided by the ordinance
3 of the board fixing a delinquency date.

4 (d) Notwithstanding any provision of law to the contrary,
5 the township shall conduct a cost study regarding the
6 connection charge of the township:

7 (1) before the township increases or creates a
8 connection charge;

9 (2) upon the request of the supervisor or a majority of
10 the township board of the township;

11 (3) upon the request of a majority of the mayors or
12 village presidents of the municipalities located within or
13 substantially within the township or township's facility
14 planning area; or

15 (4) upon the filing with the township board of a
16 petition signed by 10% or more of the customers who have
17 paid connection charges to the township in the previous 5
18 calendar years.

19 The cost study shall be conducted by an independent entity
20 within 6 months of action taken under paragraphs (1), (2), (3),
21 or (4) of this subsection (d). For purposes of this subsection
22 (d), the term "independent entity" shall mean an engineering
23 firm that has not entered into a contract with any State
24 agency, unit of local government, or non-governmental entity
25 for goods or services within the township or township service
26 area in the 24 months prior to being contracted to perform the

1 cost study. After performing a cost study under this subsection
2 (d), an independent entity may not contract with any State
3 agency, unit of local government, or non-governmental entity
4 for goods or services within the township or township service
5 area in the 24 months after completion of the cost study other
6 than to perform further cost studies under this subsection (d).
7 A township shall not be required to conduct more than one cost
8 study in a 24 month period under paragraphs (1), (2), (3), or
9 (4) of this subsection (d). The cost study must include, at a
10 minimum, an examination of similar water main and sewer
11 connection charges in neighboring units of local government or
12 units of local government similar in size or population.
13 Following the completion of the cost study, no increase or new
14 connection charge may be imposed unless the increase or new
15 charge is justified by the cost study. If the connection charge
16 the township charged prior to completion of the cost study is
17 higher than is justified by the cost study, the township shall
18 reduce its connection charge to the amount justified by the
19 cost study. For purposes of this subsection (d), "connection
20 charge" means any charge or fee, by whatever name, assessed to
21 recover the cost of connecting the customer's water main,
22 sewer, or water main and sewer service line to the township's
23 facilities, and includes only the direct and indirect costs of
24 physically tying the service line into the township's main.

25 (Source: P.A. 82-783; 88-62.)

1 Section 10. The Metropolitan Water Reclamation District
2 Act is amended by changing Sections 4.3, 4.11, 4.12, and 4.14
3 as follows:

4 (70 ILCS 2605/4.3) (from Ch. 42, par. 323.3)

5 Sec. 4.3. Classification of positions. The Director shall,
6 with the consent and approval of said civil service board,
7 classify within 90 days after the effective date of this
8 amendatory Act of 1997, all positions in said sanitary district
9 with reference to the duties thereof for the purpose of
10 establishing job classifications, and of fixing and
11 maintaining standards of examinations hereinafter provided
12 for. The positions so classified shall constitute the
13 classified civil service of such sanitary district and no
14 appointments, promotions, transfers, demotions, reductions in
15 grade or pay or removal therefrom shall be made except under
16 and according to the provisions of this Act and of the rules
17 hereinafter mentioned. As a part of such classified civil
18 service all employees under said Director, except special
19 examiners, shall be included. The Director shall ascertain and
20 record the duties of each position in the classified civil
21 service and designate the classification of each position. Each
22 classification shall comprise positions having substantially
23 similar duties. He shall also record the lines of promotion
24 from each lower classification to a higher classification
25 wherever the experience derived in the performance of the

1 duties of such lower classification tends to qualify for
2 performance of duty in such higher classification. The
3 director, subject to the disapproval of the civil service board
4 as hereinafter provided, shall by rule prescribe standards of
5 efficiency for each classification and for examinations of
6 candidates for appointment thereto. Such rule or any amendment
7 thereof shall take effect 30 days after written notice thereof
8 is given to the civil service board, unless within such period
9 the board files with the Director a written notice of its
10 disapproval thereof.

11 For the purpose of establishing uniformity of pay and title
12 for all positions similarly classified, it shall be the duty of
13 the Director to prescribe by rule which shall become effective
14 when approved by the trustees, the maximum and minimum pay for
15 each classification and the title thereof and to report to the
16 trustees annually and at such other times as they may direct
17 the name and address of each officer and employee paid more or
18 less than the pay prescribed for his classification or
19 designated by a title other than that prescribed for his
20 classification by the board of trustees. It shall be the duty
21 of the trustees not later than the beginning of the next fiscal
22 year after receiving such report to change the pay or title of
23 any position or employee so reported out of classification to
24 conform to the title and pay prescribed by the Director for the
25 classification in which the position held by the employee is
26 classified. The Director shall standardize employment in each

1 classification and make and keep a record of the relative
2 efficiency of each employee in the classified civil service.
3 The Director shall provide by rule methods for ascertaining and
4 verifying the facts from which such records of relative
5 efficiency shall be made which shall be uniform for each
6 classification in the classified civil service.

7 (Source: P.A. 90-316, eff. 1-1-98.)

8 (70 ILCS 2605/4.11) (from Ch. 42, par. 323.11)

9 Sec. 4.11. Appointments. Whenever a position classified
10 under this Act is to be filled, except the positions of deputy
11 director of engineering, deputy director of monitoring and
12 research, deputy director of maintenance and operations,
13 assistant director of engineering, assistant director of
14 maintenance and operations, deputy general counsel, head
15 assistant attorneys, assistant director of monitoring and
16 research, assistant director of information technology,
17 comptroller, assistant treasurer, assistant director of
18 procurement and materials management, assistant director of
19 human resources, and laborers, the Executive Director shall
20 make requisition upon the Director, and the Director shall
21 certify to him or her from the register of eligibles for the
22 position the names (a) of the five candidates standing highest
23 upon the register of eligibles for the position, or (b) of the
24 candidates within the A category upon the register of eligibles
25 if the register is by categories designated as A, B, and C,

1 provided, however, that any certification shall consist of at
2 least 5 candidates, if available. If fewer than 5 candidates
3 are in the A category, then the Director shall also certify all
4 of the candidates in the B category. If fewer than 5 candidates
5 are in the A and B categories combined, then the Director shall
6 also certify all of the candidates in the C category. The
7 Executive Director shall notify the Director of each position
8 to be filled separately and shall fill the position by
9 appointment of one of the certified candidates. The Executive
10 Director's appointment decision shall be final and not subject
11 to review. An appointed candidate shall be a probationary
12 appointee on probation for a period to be fixed by the rules,
13 not exceeding 250 days worked by the probationary appointee in
14 the position of probationary appointment. At any time during
15 the period of probation, the Executive Director with the
16 approval of the Director may terminate a probationary appointee
17 and shall notify the civil service board in writing of the
18 termination; however, the Executive Director's termination of
19 a probationary appointee shall be final and not subject to
20 review. At any time during the period of probation, a
21 probationary appointee may make a written request to
22 voluntarily terminate a probationary appointment, and if
23 approved by the Executive Director, such voluntary termination
24 shall be final and not subject to review. If a probationary
25 appointee is not terminated, his or her appointment shall be
26 deemed complete.

1 When there is no eligible list, the Executive Director may,
2 with the authority of the Director, make a temporary
3 appointment to remain in force only until a permanent
4 appointment from an eligible register or list can be made in
5 the manner specified in the previous provisions of this
6 Section, and examinations to supply an eligible list therefor
7 shall be held and an eligible list established therefrom within
8 one year from the making of such appointment. The acceptance or
9 refusal by an eligible person of a temporary appointment does
10 not affect his or her standing on the register for permanent
11 appointment.

12 In employment of an essentially temporary and transitory
13 nature, the Executive Director may, with the authority of the
14 Director of Human Resources make temporary appointments. No
15 temporary appointment of an essentially temporary and
16 transitory nature may be granted for a period of more than 119
17 consecutive or non-consecutive working days per calendar year.
18 The Director must include in his or her annual report, and if
19 required by the commissioners, in any special report, a
20 statement of all temporary appointments made during the year or
21 period specified by the commissioners, together with a
22 statement of the facts in each case because of which the
23 authority was granted.

24 All laborers shall be appointed by the Executive Director
25 and shall be on probation for a period to be fixed by the
26 rules, not exceeding 250 days worked by the laborer in the

1 position of the probationary appointment. At any time during
2 the period of a laborer's probation, the Executive Director
3 with the approval of the Director may terminate a laborer's
4 probationary appointment and shall notify the civil service
5 board in writing of the termination; however, the Executive
6 Director's termination of a laborer's probationary appointment
7 shall be final and not subject to review. If a laborer's
8 probationary appointment is not terminated, the appointment
9 shall be deemed complete.

10 The positions of deputy director of engineering, deputy
11 director of monitoring and research, deputy director of
12 maintenance and operations, assistant director of engineering,
13 assistant director of maintenance and operations, deputy
14 general counsel, head assistant attorneys, assistant director
15 of monitoring and research, assistant director of information
16 technology, comptroller, assistant treasurer, assistant
17 director of procurement and materials management, and
18 assistant director of human resources shall be appointed by the
19 Executive Director upon the recommendation of the respective
20 department head and shall be on probation for a period to be
21 fixed by the rules, not exceeding two years. At any time during
22 the period of probation, the Executive Director on the
23 recommendation of the department head concerned, may terminate
24 any such probationary appointee and he or she shall notify the
25 Civil Service Board in writing of the termination; however, the
26 Executive Director's termination of a probationary appointee

1 shall be final and not subject to review. If a probationary
2 appointee is not terminated, his or her appointment shall be
3 deemed complete under the laws governing the classified civil
4 service.

5 (Source: P.A. 97-124, eff. 7-14-11.)

6 (70 ILCS 2605/4.12) (from Ch. 42, par. 323.12)

7 Sec. 4.12. The Director may by his rules provide for
8 transfers of officers and employees in the classified service
9 from positions in one office or department to positions of the
10 same class and grade in another office or department. Transfers
11 which are in the nature of promotions shall be governed by
12 Section 4.10 of this Act.

13 Subject to the Executive Director's approval, an employee
14 in the classified civil service may make a written request for
15 a voluntary demotion to the employee's most recent former
16 classification, and if granted by the Executive Director, such
17 voluntary demotion shall be final and not subject to review.

18 (Source: Laws 1963, p. 2477.)

19 (70 ILCS 2605/4.14) (from Ch. 42, par. 323.14)

20 Sec. 4.14. No ~~officer or~~ employee in the classified civil
21 service of the sanitary district shall be involuntarily demoted
22 ~~removed~~ or discharged except for cause, upon written charges,
23 and after an opportunity to be heard in his own defense. For
24 discharge actions, such ~~Such~~ charges shall be filed with the

1 civil service board within 30 days from the date of suspension
2 under the charges, and the charges shall be promptly
3 investigated by or before the civil service board, or by or
4 before some officer or officers appointed by the civil service
5 board to conduct such investigation. Both involuntary demotion
6 and discharge hearings ~~The hearing~~ shall be public and the
7 employee shall be entitled to call witnesses in his or her
8 defense and to have the aid of counsel. Such hearings shall
9 take place within 120 days after charges are filed against the
10 employee, unless the. ~~The hearing shall be public and the~~
11 ~~accused shall be entitled to call witnesses in his defense and~~
12 ~~to have the aid of counsel. The~~ civil service board continues
13 ~~may continue~~ a discharge or involuntary demotion hearing for
14 good cause shown and ~~only~~ with the consent of the employee.
15 After the hearing is completed, the ~~The~~ civil service board
16 shall enter a finding and decision. A decision shall be deemed
17 to have been served either when a copy of the decision is
18 personally delivered or when a copy of the decision is
19 deposited in the United States mail, addressed to the employee
20 at his last known address on file with the human resources
21 department. The finding and decision of the civil service board
22 or of such investigating officer or officers, when approved by
23 said civil service board, shall be final, except for the
24 judicial review thereof as herein provided, and shall be
25 certified to the appointing officer, and shall be forthwith
26 enforced by such officer. Nothing in this Act shall limit the

1 power of any officer to suspend a subordinate for a reasonable
2 period not exceeding thirty days; however, if charges are filed
3 against a suspended employee, the suspension shall be extended
4 until the civil service board enters its finding and decision
5 regarding the charges unless prior to this time the board
6 enters an order approving an agreement between the sanitary
7 district and the employee that the suspension should terminate
8 at an earlier date. Every such suspension shall be without pay:
9 Provided, however, that the civil service board shall have
10 authority to investigate every such suspension and, in case of
11 its disapproval thereof, it shall have power to restore pay to
12 the employee so suspended. For discharge actions, if the civil
13 service board enters a finding and decision denying discharge,
14 the employee shall be returned to the classification held at
15 the time charges were filed. For involuntary demotion actions,
16 if the civil service board enters a finding and decision
17 granting an involuntary demotion, the employee shall be demoted
18 to the employee's most recent former classification. In the
19 course of any investigation provided for in this Act, each
20 member of the civil service board and any officer appointed by
21 it shall have the power to administer oaths and shall have
22 power to secure by its subpoena both the attendance and
23 testimony of witnesses and the production of books and papers.

24 Either the sanitary district or the employee may file a
25 written petition for rehearing of the finding and decision of
26 the civil service board within 21 calendar days after the

1 finding and decision are served as provided in this Section.
2 The petition shall state fully the grounds upon which
3 application for further investigation and hearing is based. If
4 a petition is denied by the civil service board, the decision
5 shall remain in full force and effect and any further appeal by
6 either party shall be in accordance with the provisions of the
7 Administrative Review Law.

8 The provisions of the Administrative Review Law, and all
9 amendments and modifications thereof, and the rules adopted
10 pursuant thereto, shall apply to and govern all proceedings for
11 the judicial review of final administrative decisions of the
12 civil service board hereunder. The term "administrative
13 decision" is defined as in Section 3-101 of the Code of Civil
14 Procedure.

15 (Source: P.A. 95-923, eff. 8-26-08.)

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