



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB1815

Introduced 2/20/2015, by Sen. Kyle McCarter

SYNOPSIS AS INTRODUCED:

60 ILCS 1/205-140

65 ILCS 5/11-150-1

from Ch. 24, par. 11-150-1

Amends the Township Code. Makes various changes to provisions authorizing a township board to establish the monthly rate charged for the use of a waterworks system or sewerage system or a combined waterworks and sewerage system. Authorizes a township board to impose, upon a user who is outside of the township's geographical boundaries or the township's facility planning area, a 25% surcharge above the monthly user rates charged to users who are within the township and the township's facility planning area. Authorizes a township board to impose fees for connection to a sewerage system in amounts based on the size of the water meter to be installed. Contains provisions regarding: plan review fees, inspection fees, and acreage fees, and connection fees for a user who is outside of the township's geographical boundaries or the township's facility planning area. Amends the Illinois Municipal Code to make similar changes regarding fees charged by the corporate authorities of a municipality operating a waterworks or sewerage system. Effective immediately.

LRB099 11023 AWJ 31398 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

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 monthly rate ~~or~~
13 ~~charge~~ to all users ~~each user~~ of the waterworks system or
14 sewerage system, or combined waterworks and sewerage system, ~~or~~
15 ~~improvement or extension~~ at a rate that will be sufficient to
16 pay for the operation, maintenance, and necessary upgrades or
17 improvements of the system, the principal and interest of any
18 bonds issued to pay the cost of any necessary upgrades or
19 improvements to the system, and ~~improvement, or extension and~~
20 ~~the maintenance and operation of the system, improvement, or~~
21 ~~extension and may~~ provide an adequate depreciation fund for the
22 bonds. Monthly ~~Charges or~~ rates shall be established, revised,
23 and maintained by ordinance and become payable as the township

1 board determines by ordinance.

2 For any user outside of the township's geographical
3 boundaries and outside the township's facility planning area,
4 the township may impose a 25% surcharge above the monthly user
5 rates charged to all users within the township or the
6 township's facility planning area. For purposes of this
7 Section, "facility planning area" has the same meaning as that
8 term is defined under subsection (c) of Section 2.08 of the
9 Wastewater Land Treatment Site Regulation Act.

10 (b-5) The township board of a township that operates a
11 water or sewerage system may by ordinance collect a fair and
12 reasonable fee, which shall not include the cost of labor and
13 materials, for connection to any such system for the connection
14 of a new service line from the new user's building or
15 development to the township's main water or sewer line located
16 in the adjoining utility easement. The standard used in order
17 to determine a fair and reasonable connection fee shall be
18 based solely on the size of the water meter to be installed for
19 the service of the building or development. The fee shall not
20 exceed, but may be less than, the connection fee for the
21 applicable connection type, as described below. The
22 restriction on fees imposed by this subsection shall not limit
23 the right of the township to recover the actual cost of labor
24 and materials incurred by the township to connect the new
25 user's building or development to the township's main water or
26 sewer line in the adjoining utility easement. The connection

1 fee shall not change the terms of any existing recapture
 2 agreement between a developer and a township.

3 Sewer Connection Fees

<u>Size of water meter</u>	<u>Amount of fee</u>
4 <u>Single family residential</u>	<u>\$1,000</u>
5 <u>Multifamily residential</u>	<u>\$1,000 per residence</u>
6 <u>Planned unit multifamily</u>	<u>Applicable commercial size fee</u>
7 <u>3/4 inch & smaller commercial</u>	<u>\$1,000</u>
8 <u>1 inch commercial</u>	<u>\$1,669</u>
9 <u>1 1/2 inch commercial</u>	<u>\$3,031</u>
10 <u>2 inch commercial</u>	<u>\$4,736</u>
11 <u>3 inch commercial</u>	<u>\$8,744</u>
12 <u>4 inch commercial</u>	<u>\$14,711</u>
13 <u>6 inch commercial</u>	<u>\$28,351</u>
14 <u>8 inch commercial</u>	<u>\$51,368</u>
15 <u>10 inch commercial</u>	<u>\$82,655</u>
16 <u>12 inch & larger commercial</u>	<u>Set by resolution of the</u>
17	<u>township board</u>

19 Water Main Connection Fees

<u>Size of water meter</u>	<u>Amount of fee</u>
20 <u>3/4 inch & smaller</u>	<u>\$1,000</u>
21 <u>1 inch</u>	<u>\$1,600</u>
22 <u>1 1/2 inch</u>	<u>\$2,300</u>
23 <u>2 inch</u>	<u>\$3,900</u>

1	<u>3 inch</u>	<u>\$8,600</u>
2	<u>4 inch</u>	<u>\$15,400</u>
3	<u>6 inch</u>	<u>\$34,300</u>
4	<u>8 inch</u>	<u>\$41,100</u>
5	<u>10 inch & larger meters</u>	<u>\$154,000</u>
6	<u>Unmetered & Main Extension</u>	<u>\$2,000</u>
7	<u>Landscaping sprinkler meter</u>	<u>\$1,000</u>

8 The plan review fee charged by the township to review the
9 building or development plans for the new connection,
10 regardless of type, may not exceed \$100.

11 The inspection fee charged by the township to inspect the
12 new service line connection to the township's main line in the
13 adjoining utility easement may not exceed \$100.

14 The township may not charge a new user an acreage fee as
15 part of or in addition to the connection fee.

16 The township may charge a new user outside of the
17 township's geographical boundaries or the township's facility
18 planning area up to an additional 25% surcharge above the
19 connection fees indicated above.

20 As used in this Section, "multifamily residential" means
21 the connection fee for a residential building to be constructed
22 on an individual platted lot, which has at least 2 and not more
23 than 4 separate residential units, and which is not part of a
24 multifamily planned unit development.

25 As used in this Section, "multifamily planned unit

1 development" means the connection fee for a development using
2 one main water meter to service one or more buildings within a
3 planned unit development. A multifamily planned unit
4 development shall be charged a single connection fee according
5 to the above schedules, without regard to the number of
6 residential units within the development.

7 (c) The charges or rates are liens upon the real estate
8 upon or for which sewerage service is supplied whenever the
9 charges or rates become delinquent as provided by the ordinance
10 of the board fixing a delinquency date.

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

12 Section 10. The Illinois Municipal Code is amended by
13 changing Section 11-150-1 as follows:

14 (65 ILCS 5/11-150-1) (from Ch. 24, par. 11-150-1)

15 Sec. 11-150-1. Rates and fees.

16 (a) The corporate authorities of any municipality may
17 establish the monthly rate to all users of the waterworks
18 system or sewerage system, or combined waterworks and sewerage
19 system, at a rate that will be sufficient to pay for the
20 operation, maintenance, and necessary upgrades or improvements
21 of the system, the principal and interest of any bonds issued
22 to pay the cost of any necessary upgrades or improvements to
23 the system, and provide an adequate depreciation fund for the
24 bonds. Monthly rates shall be established, revised, and

1 maintained by ordinance and become payable as the corporate
2 authorities determine by ordinance.

3 For any user outside of the municipality's geographical
4 boundaries and outside the municipality's facility planning
5 area, the municipality may impose a 25% surcharge above the
6 monthly user rates charged to all users within the municipality
7 or the municipality's facility planning area. For purposes of
8 this Section, "facility planning area" has the same meaning as
9 that term is defined under subsection (c) of Section 2.08 of
10 the Wastewater Land Treatment Site Regulation Act.

11 (b) The corporate authorities of a municipality that
12 operates a water or sewerage system may by ordinance collect a
13 fair and reasonable fee, which shall not include the cost of
14 labor and materials, for connection to any such system for the
15 connection of a new service line from the new user's building
16 or development to the municipality's main water or sewer line
17 located in the adjoining utility easement. The standard used in
18 order to determine a fair and reasonable connection fee shall
19 be based solely on the size of the water meter to be installed
20 for the service of the building or development. The fee shall
21 not exceed, but may be less than, the connection fee for the
22 applicable connection type, as described below. The
23 restriction on fees imposed by this subsection shall not limit
24 the right of the municipality to recover the actual cost of
25 labor and materials incurred by the municipality to connect the
26 new user's building or development to the municipality's main

1 water or sewer line in the adjoining utility easement. The
 2 connection fee shall not change the terms of any existing
 3 recapture agreement between a developer and a municipality.

4 Sewer Connection Fees

<u>Size of water meter</u>	<u>Amount of fee</u>
5 <u>Single family residential</u>	<u>\$1,000</u>
6 <u>Multifamily residential</u>	<u>\$1,000 per residence</u>
7 <u>Planned unit multifamily</u>	<u>Applicable commercial size fee</u>
8 <u>3/4 inch & smaller commercial</u>	<u>\$1,000</u>
9 <u>1 inch commercial</u>	<u>\$1,669</u>
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18	<u>corporate authorities</u>
19	<u>of the municipality</u>

21 Water Main Connection Fees

<u>Size of water meter</u>	<u>Amount of fee</u>
22 <u>3/4 inch & smaller</u>	<u>\$1,000</u>
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10 The plan review fee charged by the municipality to review
 11 the building or development plans for the new connection,
 12 regardless of type, may not exceed \$100.

13 The inspection fee charged by the municipality to inspect
 14 the new service line connection to the municipality's main line
 15 in the adjoining utility easement may not exceed \$100.

16 The municipality may not charge a new user an acreage fee
 17 as part of or in addition to the connection fee.

18 The municipality may charge a new user outside of the
 19 municipality's geographical boundaries or the municipality's
 20 facility planning area up to an additional 25% surcharge above
 21 the connection fees indicated above, as well as a fair and
 22 reasonable impact fee.

23 As used in this Section, "multifamily residential" means
 24 the connection fee for a residential building to be constructed
 25 on an individual platted lot, which has at least 2 and not more

1 than 4 separate residential units, and which is not part of a
2 multifamily planned unit development.

3 As used in this Section, "multifamily planned unit
4 development" means the connection fee for a development using
5 one main water meter to service one or more buildings within a
6 planned unit development. A multifamily planned unit
7 development shall be charged a single connection fee according
8 to the above schedules, without regard to the number of
9 residential units within the development.

10 (c) A home rule unit in a county with a population of under
11 3,000,000 may not regulate in a manner inconsistent with this
12 Act. This Act is a limitation under subsection (i) of Section 6
13 of Article VII of the Illinois Constitution on the concurrent
14 exercise by home rule units of powers and functions exercised
15 by the State. ~~The corporate authorities of any municipality~~
16 ~~operating a waterworks, sewerage or combined waterworks and~~
17 ~~sewerage system have the power by ordinance to collect a fair~~
18 ~~and reasonable charge for connection to any such system in~~
19 ~~addition to those charges covered by normal taxes, for the~~
20 ~~construction, expansion and extension of the works of the~~
21 ~~system, the charge to be assessed against new or additional~~
22 ~~users of the system and to be known as a connection charge,~~
23 ~~except that no connection or water usage charge shall exceed~~
24 ~~the actual cost required for the installation or usage of an~~
25 ~~automatic sprinkler system. The funds thus collected shall be~~
26 ~~used by the municipality for its general corporate purposes~~

1 ~~with primary application thereof being made by the necessary~~
2 ~~expansion of the works of the system to meet the requirements~~
3 ~~of the new users thereof.~~

4 (Source: P.A. 85-784.)

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