

ORDINANCE 14/15-O-01

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE ROCK RIVER WATER RECLAMATION DISTRICT

ARTICLE I

This Ordinance shall be effective upon passage.

ARTICLE II

A. Title 4, Article I, entitled "Definitions", Title 4, Section 2, shall be amended to read as follows:

SECTION 2. "District Sewer", "District Sewers" or "Public Sewer" shall mean any sanitary sewer in the District's service area within Winnebago County owned and maintained by the District and includes all manholes, intercepting chambers, pump stations and forcemains, and appurtenances thereof. Sewers under construction by the District shall be considered District sewer upon acceptance of the project by the District Board of Trustees. Sewers under construction by private parties or other governmental agencies shall be considered District sewer upon satisfactory completion and acceptance by the District Engineering Manager in accordance with the provisions of the Dedication Agreement. "Public Sewer" shall also refer to sanitary sewer within a contract service area, but outside Winnebago County, that ultimately discharges into a District sewer and is owned and maintained by a local government agency other than the District.

B. Title 4, Article II, entitled "Service to Outlying Territories", Section 2 entitled "Annexations", shall be amended to read as follows:

SECTION 2. Annexation.

If the property sought to be served is contiguous to the District, and within the County of Winnebago, the property shall be annexed to the District after service is extended to it. If the property sought to be served is contiguous but outside the County of Winnebago, the property may be served by contract but shall not be annexed.

C. Title 4, Article II, entitled "Service to Outlying Territories", Section 3 entitled "Requirements for Service", shall be amended to read as follows:

SECTION 3. Requirements for Service.

If any property of a person desiring to become a user is situated outside the corporate limits of the District and not contiguous thereto so that it may not properly be annexed to the District, or lies outside Winnebago County, District, in its sole discretion, may permit such connection, provided that a contract shall be entered into between District and user which shall provide essentially as follows:

D. Title 4, Article II, entitled "Service to Outlying Territories", Section 3 entitled "Requirements for Service", E. shall be amended to read as follows:

E. Such agreement shall be recorded in the Office of the Recorder of Deeds of Winnebago County, Illinois, or other county, as appropriate, whichever is applicable. The recording shall constitute notice to any successors or assigns of the owner of its terms and provisions, and to which any subsequent conveyance or assignment of the owner shall be subject.

E. Title 5, Article I entitled "Definitions", Section 5 shall be amended to read as follows:

SECTION 5. "Drainage Basin" or "Trunk Basin" shall mean an area whose surface water flows are tributary to a common point. Such basins are determined using ridge lines containing the boundary of such area. Drainage Basin, for purposes of this Title, shall be determined by the District Engineering Manager for all areas, as a minimum, within the District's planned future service area and shall be designated on a map maintained by the Engineering Manager. In cases where a drainage basin cannot be determined as described above, the Engineering Manager shall determine the appropriate basin based on recognized engineering principles.

F. Title 5, Article II entitled "Connection Charge", Section 5 entitled "Computation of Basin Connection Charge", A. shall be amended to read as follows:

A. District shall compute the basin connection charge for each drainage basin in District's planned future service area for basins for which trunk sewers are needed and have not been installed or require upgrade to meet changed conditions such as rezoning or an approved higher intensity use by another government agency. Failure of District to complete computations for any basin or basins shall not preclude collection of a connection charge for connections made in basins for which costs to connect have been determined.

ARTICLE III

The validity of any Section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

Passed and adopted by the Board of Trustees of the Rock River Water Reclamation District, State of Illinois.



President, Board of Trustees

ATTEST:



Assistant Clerk, Board of Trustees

Dated: November 24, 2014