

**CHAPTER 8: STATEMENT OF POLICY OF THE FLAGG CREEK WATER
RECLAMATION DISTRICT**

**Flagg Creek Reclamation District - Statement of Policy of the Flagg Creek Water
Reclamation District**

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Section

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' 8-1.01 SANITARY DISTRICT ACT OF 1917.

The District was founded under the Sanitary District Act of 1917, being 70 ILCS 2405/.
(Prior Code, ' 8-1.01)

' 8-1.02 STATUTORY MANDATE.

The Act gives a mandate to the District to prevent pollution of water sources within the District and grants to the District certain powers within a 15-mile radius of the District to prevent pollution.
(Prior Code, ' 8-1.02)

' 8-1.03 REQUIREMENT FOR REGULATION.

In order to achieve the goal of prevention of pollution, ordinances, resolutions, rules and regulations must be promulgated by the Board of Trustees of the District which are conducive to the prevention of pollution.
(Prior Code, ' 8-1.03)

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' 8-1.04 REQUIREMENT FOR UNIFORMITY.

The application of such ordinances, resolutions, rules and regulations must be uniform and all persons or entities utilizing the system of the District must pay to the District their fair share of the cost of construction, operation and maintenance of the system.

(Prior Code, ' 8-1.04)

' 8-1.05 INCREMENT OF USE BASIS.

(A) Except where specified otherwise by ordinances enacted in response to federal regulations, charges for District services, including those for construction permits, connection, use and maintenance, shall be equally assessed to the users, not on an individual user basis, but on an Aincrement of use@ basis. The burden imposed upon the District by all users shall be equated to the number of increments of use herein defined as ***EQUIVALENT FAMILY UNITS*** for both residential purposes and non-residential purposes as defined herein and the charges made shall relate to the increments of use based thereon. The composite connection charge system and parts of the user charge system of the District are established based upon potential use of District facilities.

(B) Deviations from this general policy shall be based only upon federal regulations or circumstances where the ultimate good of the goal of the District to prevent pollution is served by such deviations.

(Prior Code, ' 8-1.05)

' 8-1.06 GOVERNMENTAL COOPERATION.

It is the policy of the District to cooperate with the state and federal Environmental Protection Agencies, the State Pollution Control Board and the State Institute for Environmental Quality to achieve the statutory mandate and to regionalize sewage treatment service within DuPage County in the manner ultimately determined by the legislature of the state or the agency of the state charged with such determination.

(Prior Code, ' 8-1.06)

' 8-1.07 PLANNING COOPERATION.

It is further the policy of the District to cooperate with the Northeastern Illinois Plan Commission (NIPC) in matters concerning pollution control, open spaces planning and other programs which have any legal relationship to District activities under the law.

(Prior Code, ' 8-1.07)

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' 8-1.08 ACCEPTANCE OF FULL STATUTORY MANDATE - MORATORIUM.

(A) It is the policy of the District to exercise all rights and duties granted to it in the acts of the legislature of the state and the Congress of the United States. To that end, to the extent that there is or may, from time to time, be no specific ordinance or resolution of the District implementing the grant of authority by such legislative bodies, the District, by this chapter, ordains that such grant of authority is accepted. The District, further by this chapter, ordains that no act or conduct governed by the said acts shall be permitted within the District or without the District to the extent that the District has jurisdiction, without permission and regulation hereafter enacted by ordinance, resolution, rule and/or regulations established by the corporate authority of the District. No such ordinances, resolutions, rules or regulations promulgated hereafter shall be considered ex-post facto unless the act or event sought to be regulated has occurred prior to the passage of this chapter. The District by passage of this chapter hereby ordains that pending enactment of specific ordinance, a moratorium is hereby established concerning all matters provided by statute but not yet encompassed in District ordinances, resolutions, rules and/or regulations for a period of one year from date of this chapter or until such legislative action shall sooner occur.

(B) Said moratorium shall include the following subject matters authorized by law.

<i>State Law Chapter and Section</i>	<i>Subject</i>
Chapter 42:	
Section 306	Industrial sewer charge
Section 306.2	Connection outside District
Section 306.3	Standards of construction outside District
Section 316	Use of District facilities by other municipalities or special Districts
Section 317	Inadmissible wastes - prevention of entry into District system, including penalties therefor
Section 319.7	Civil action to recover sewerage charges
Section 319.11a	Contracting with other municipalities - rules and regulations

(C) The moratorium for the completion of the above mentioned sections shall continue until the ordinances, resolutions, rules and regulations as enacted, but not longer than one year from date of this chapter unless extended by ordinance.

(Prior Code, ' 8-1.08)

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