

**CHAPTER 23: SEWAGE DISPOSAL - PUBLIC - SEWERS SERVICE OF
UNANNEXED TERRITORY - COMPOSITE CONNECTION CHARGE AND PERIODIC
CHARGES**

**Flagg Creek Water Reclamation District - Sewage Disposal - Public - Sewers Service
of Unannexed Territory - Composite Connection Charge and Periodic Charges**

CHAPTER 23: SEWAGE DISPOSAL - PUBLIC - SEWERS SERVICE OF UNANNEXED TERRITORY - COMPOSITE CONNECTION CHARGE AND PERIODIC CHARGES

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' 23-1.01 POLICY.

It is hereby the policy of the District to annex all lands within the prescribed region determined by the Northeastern Illinois Plan Commission to be served by the District except where such lands either are not capable under the law of being annexed, or where Northeastern Illinois Plan Commission has required the District to agree not to annex and serve such lands due to its categorization by the Northeastern Illinois Plan Commission as open lands.
(Prior Code, ' 23-1.01)

' 23-1.02 MINIMAL SERVICE OF CERTAIN UNINCORPORATED LANDS.

Certain minimal services are required even to maintain open lands.
(Prior Code, ' 23-1.02)

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**' 23-1.03 ASSESSMENT OF FAIR SHARE OF GENERAL TAXES, COST OF OPERATION
AND CONNECTION.**

Such lands shall contribute to the District an amount equivalent to the general tax revenue, periodic charge revenue and other charges of the District which the District would receive were those lands annexed to the District.

(Prior Code, ' 23-1.03)

' 23-1.04 COMPOSITE CONNECTION CHARGE.

From and after the effective date of this Ordinance, the following charges shall be assessed for connection to the District system by parcels not within the corporate territory of the District, whether directly or indirectly, by connection to a system which is tributary to the District as follows.

(A) The charges assessed under the composite connection charge ordinances of the District shall be applicable to all users who are not within the incorporated territory of the District.

(B) Where any sewer line to which the unincorporated parcel will connect, whether directly or indirectly, was installed by special assessment, a lateral sewer charge shall be assessed in the full amount of the combination of the average frontage and area assessments as established by the Board of Trustees by resolution. Such resolution shall authorize connection and establish the rates aforesaid.

(Prior Code, ' 23-1.04)

' 23-1.05 USER CHARGE.

From and after the effective date of this Ordinance, the following user charge shall be assessed for users connected to the District system, though not within the corporate territory of the District, whether directly or indirectly, by connection to a system that is tributary to the District as follows: the user charges as set forth in the current user charge ordinance of the District shall be applicable to all such parcels.

(Prior Code, ' 23-1.05)

' 23-1.06 SEWERAGE CHARGE.

The following sewerage charge shall be assessed for users connected to the District system, though not within the corporate territory of the District, whether directly or indirectly, by connection to a system which is tributary to the District as follows: the sewerage service charges as set forth in the current service charge ordinance of the District shall apply according to the classification set forth herein.

(Prior Code, ' 23-1.06)

' 23-1.07 IN LIEU OF AD VALOREM REAL ESTATE TAX CHARGE.

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The following in lieu of ad valorem real estate tax charge shall be assessed for connection to the District system, whether directly or indirectly, by connection of a system which is tributary to the District as follows.

(A) Such charge for a single-family residence shall be \$50 per calendar year, or fraction thereof, with the first year=s charges being due and payable upon application for service. Such charge for other than single-family residences shall be calculated on an equivalent single-family unit basis (as defined in the District ordinances) and shall be \$5,000 per equivalent family unit, per calendar year, or fraction thereof, with the first year=s charges being due and payable upon application for service. All such charges, subsequent to the first year=s charges, shall be due and payable June 1 in such subsequent year, and, if not paid by June 15, shall bear penalty interest at the rate of 1.5% per month until paid. In cases of inordinate disparity between the regular charge aforesaid, and that sum of money which the District would receive in tax receipts in the property were annexed to the District, the Board of Trustees may, by resolution, in individual cases, adjust the charge upon ascertainment of the assessed valuation as equalized of the parcel and submit to the assessee a revised billing based upon the assessed valuation, shown on the most recent tax bill.

(B) Tax payers alternate payment plan: the owner of all lands other than single-family residences may annually deliver to the District Treasurer a photocopy of the current real estate tax bills for such property so that the District may ascertain the assessed valuation of such parcel and the District shall multiply the assessed valuations, as equalized by the current District tax rate. The product shall equal the in lieu of ad valorem tax charge due on said parcel for the current year assessed to the taxpayer.

(C) For subsequent tax years, the taxpayer may do likewise.

(D) For all parcels already served by the District, the aforesaid annual charges shall become applicable effective ten days after passage and publication of this Ordinance, and the first year=s annual charge shall be prorated on a 365-day basis.

(Prior Code, ' 23-1.07)

' 23-1.08 REMEDIES FOR NON-PAYMENT OF DELINQUENT PERIODIC CHARGES.

For non-payment of any of the monthly, quarterly or annual charges assessed hereunder, the District shall have the right to elect to place a lien upon the property or to follow the disconnection procedures set forth in this Ordinance for delinquent periodic charges.

(Prior Code, ' 23-1.08)

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' 23-1.09 TERMINATION BY ANNEXATION.

Upon annexation of any lands falling under the provisions of this Ordinance, these provisions shall cease to be applicable except that all unpaid amounts due hereunder, whether billed or accrued, shall remain due and payable.

(Prior Code, ' 23-1.09) (Ord. 519, passed 10-9-1980)

' 23-1.10 SPECIAL CIRCUMSTANCES.

The Trustees shall have the right to vary the applicability of the provisions of this Ordinance for individual parcels, by resolution, where a unique situation exists, and it is the Trustees' determination that such circumstance justifies a deviation. In all such cases, a separate contract shall be negotiated and executed to accomplish the result desired by the Board of Trustees.

(Prior Code, ' 23-1.10)