

ORDINANCE NO. 2018-0-002

AN ORDINANCE AMENDING ORDINANCES NO. 665, 686, 687A, 737, 747, 80-0-3, 84-0-8, 87-0-004, 88-0-004, 91-0-004, 95-0-001, 95-0-003, 98-0-005, 2007-0-007, 2007-0-009, 2008-0-003, 2008-0-007, 2008-0-008A, 2009-0-002, 2010-0-003, 2013-0-003, 2013-0-004 and 2016-0-008 ENTITLED “AN ORDINANCE REGULATING: THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SYSTEM, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF; THE LEVYING OF CHARGES FOR WASTEWATER SERVICES (USE CHARGES) IN THE METRO EAST SANITARY DISTRICT, COUNTIES OF ST. CLAIR AND MADISON, STATE OF ILLINOIS.”

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF COMMISSIONERS OF THE METRO EAST SANITARY DISTRICT, ST. CLAIR AND MADISON COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION 1: That Article I, Section 1, Wastewater Service Charges of said Ordinance No. 2010-0-003 shall be and the same is hereby amended to read as follows:

SECTION 1: Basis for Wastewater Service Charges: The wastewater service charge for the use of and service supplied by the wastewater facilities of the MESD shall consist of a basic user charge for wastewater treatment, operation and maintenance plus replacement, applicable surcharges and local capital cost charge consisting of a debt service charge.

All users shall be billed monthly.

An industrial or commercial user may be required, at the user’s expense, to install proper flow, BOD and SS monitoring equipment as approved by MESD.

The basic user charge for all users of the Metro East Sanitary District sewage system shall be based on water usage as recorded by water meters and/or sewage meters.

Residential and Commercial Users (Without Surcharges)

Beginning January 1, 2017, ending December 31, 2017, the minimum billing shall be TEN DOLLARS (\$10.00) for the first 1500 gallons or less of water usage and/or sewage usage. For residential and commercial users without BOD and TSS surcharges, the user charge for water/sewage coverage over 1500 gallons shall be FOUR DOLLARS AND FIFTY-FIVE CENTS (\$4.55) per 750 gallons of water usage or sewage flow.

Beginning January 1, 2018, and continuing monthly thereafter until December 31, 2018, and until changed or modified by subsequent amendment(s) to this Ordinance, the basic user charge for all residential and commercial users of the Metro East Sanitary District sewage system shall be TEN DOLLARS AND FIFTY CENTS (\$10.50) for the first 1500 gallons or less of water usage and/or sewage usage. For residential and commercial users without BOD and TSS surcharges, the user charge for water/sewage usage over 1500 gallons shall be FOUR DOLLARS AND SEVENTY-FIVE CENTS (\$4.75) per 750 gallons of water usage or sewage flow on a basis pro-rata.

Beginning January 1, 2019, and continuing monthly thereafter until December 31, 2019, and until changed or modified by subsequent amendment(s) to this Ordinance, the basic user charge for all residential and commercial users of the Metro East Sanitary District sewage system shall be ELEVEN DOLLARS (\$11.00) for the first 1500 gallons or less of water usage and/or sewage usage. For residential and commercial users without BOD and TSS surcharges, the user charge for water/sewage usage over 1500 gallons shall be FIVE DOLLARS (\$5.00) per 750 gallons of water usage or sewage flow on a basis pro-rata.

Eagle Park Collector Sewer Area

For the year beginning January 1, 2017, all sewage users in the designated Eagle Park area of the Metro East Sanitary District will have a special area (user area) with an additional FIVE DOLLARS (\$5.00) per month user minimum charge added to the TEN DOLLARS (\$10.00) minimum user charge resulting in a total minimum charge of FIFTEEN DOLLARS (\$15.00) per month for the first 1500 gallons or less of water usage and/or sewage usage and, thereafter, for operation, maintenance and repair to the Eagle Park Sanitary Sewer Collection System. For residential and commercial users without BOD and TSS surcharges, the user charge for water/sewage usage over 1500 gallons shall be FOUR DOLLARS AND FIFTY-FIVE CENTS (\$4.55) per 750 gallons of water usage or sewage flow.

For the year beginning January 1, 2018, all sewage users in the designated Eagle Park area of the Metro East Sanitary District will have a special area (user area) with an additional FIVE DOLLARS (\$5.00) per month user minimum charge added to the TEN DOLLARS AND FIFTY CENTS (\$10.50) minimum user charge resulting in a total minimum charge of FIFTEEN DOLLARS AND FIFTY-FIVE CENTS (\$15.50) per month for the first 1500 gallons or less of water usage and/or sewage usage and, thereafter, for operation, maintenance and repair to the Eagle Park Sanitary Sewer Collection System. For residential and commercial users without BOD and TSS surcharges, the user charge for water/sewage usage over 1500 gallons shall be FOUR DOLLARS AND SEVENTY-FIVE CENTS (\$4.75) per 750 gallons of water usage or sewage flow on a basis pro-rata.

For the year beginning January 1, 2019, all sewage users in the designated Eagle Park area of the Metro East Sanitary District will have a special area (user area) with an additional FIVE DOLLARS (\$5.00) per month user minimum charge added to the ELEVEN DOLLARS (\$11.00) minimum user charge resulting in a total minimum charge of SIXTEEN DOLLARS (\$16.00) per month for the first 1500 gallons or less of water usage and/or sewage usage and, thereafter, for operation, maintenance and repair to the Eagle Park Sanitary Sewer Collection System. For residential and commercial users without BOD and TSS surcharges, the user charge for water/sewage usage over 1500 gallons shall be FIVE DOLLARS (\$5.00) per 750 gallons of water usage or sewage flow on a basis pro-rata.

This Ordinance is modified and there shall be, in addition to the FIVE DOLLAR (\$5.00) per month user minimum charge added, the sum of ELEVEN DOLLARS (\$11.00) for the first 1500 gallons or less of water usage and/or sewage usage and thereafter for operation, maintenance and repair to the Eagle Park Sanitary Sewer Collection System.

Residential and Commercial Users (With Surcharges)

Beginning January 1, 2017 and ending December 31, 2017, the basic user charge for residential and commercial users with BOD and TSS surcharges, in addition to surcharge when applicable, shall be TWENTY-FOUR DOLLARS (\$24.00) for the first 3750 gallons or less of water usage and/or sewage usage. For water/sewage usage over 3750 gallons, the user charge shall be FOUR DOLLARS AND FORTY CENTS (\$4.40) per 750 gallons, plus surcharges.

Beginning January 1, 2018 and ending December 31, 2018, the basic user charge for residential and commercial users with BOD and TSS surcharges, in addition to surcharge when applicable, shall be TWENTY-FIVE DOLLARS (\$25.00) for the first 3750 gallons or less of water usage and/or sewage usage. For water/sewage usage over 3750 gallons, the user charge shall be FOUR DOLLARS AND SIXTY-FIVE CENTS (\$4.65) per 750 gallons, plus surcharges on a basis pro-rata.

Beginning January 1, 2019 and ending December 31, 2019, the basic user charge for residential and commercial users with BOD and TSS surcharges, in addition to surcharge when applicable, shall be TWENTY-SIX DOLLARS (\$26.00) for the first 3750 gallons or less of water usage and/or sewage usage. For water/sewage usage over 3750 gallons, the user charge shall be FOUR DOLLARS AND EIGHTY-FIVE CENTS (\$4.85) per 750 gallons, plus surcharges on a basis pro-rata.

Industrial Users

Beginning January 1, 2017 and ending December 31, 2017, until changed or modified by subsequent amendment(s) to this Ordinance, the basic user charge for industrial users with BOD and TSS surcharges, in addition to surcharge when applicable, shall be TWENTY-FOUR DOLLARS (\$24.00) for the first 3750 gallons or less of water usage and/or sewage usage. For water or sewage usage over 3750 gallons up to 2,992,200 gallons, the user charge shall be FOUR DOLLARS AND FORTY CENTS (\$4.40) per 750 gallons, plus surcharge when applicable, and for water and/or sewage usage in excess of 2,992,200 gallons the user charge shall be ONE DOLLAR AND FIFTY-TWO CENTS (\$1.52) per 750 gallons of water and/or sewage usage, plus surcharge when applicable on a basis pro-rata.

Beginning January 1, 2018 and ending December 31, 2018, until changed or modified by subsequent amendment(s) to this Ordinance, the basic user charge for industrial users with BOD and TSS surcharges, in addition to surcharge when applicable, shall be TWENTY-FIVE DOLLARS (\$25.00) for the first 3750 gallons or less of water usage and/or sewage usage. For water or sewage usage over 3750 gallons up to 2,992,200 gallons, the user charge shall be FOUR DOLLARS AND SIXTY-FIVE CENTS (\$4.65) per 750 gallons, plus surcharge when applicable, and for water and/or sewage usage in excess of 2,992,200 gallons the user charge shall be ONE DOLLAR AND FIFTY-EIGHT CENTS (\$1.58) per 750 gallons of water and/or sewage usage, plus surcharge when applicable on a basis pro-rata.

Beginning January 1, 2019 and ending December 31, 2019, until changed or modified by subsequent amendment(s) to this Ordinance, the basic user charge for industrial users with BOD and TSS surcharges, in addition to surcharge when applicable, shall be TWENTY-SIX DOLLARS (\$26.00) for the first 3750 gallons or less of water usage and/or sewage usage. For water or sewage usage over 3750 gallons up to 2,992,200 gallons, the user charge shall be FOUR DOLLARS AND EIGHTY-FIVE CENTS (\$4.85) per 750 gallons, plus surcharge when applicable, and for water and/or sewage usage in excess of 2,992,200 gallons the user charge shall be ONE DOLLAR AND SIXTY-SEVEN CENTS (\$1.67) per 750 gallons of water and/or sewage usage, plus surcharge when applicable on a basis pro-rata.

Residential and Commercial Users (Without Surcharges)

Beginning January 1, 2017, ending December 31, 2017, the minimum billing shall be TEN DOLLARS (\$10.00) for the first 200 cubic feet or less of water usage and/or sewage usage. For residential and commercial users without BOD and TSS surcharges, the user charge for water/sewage coverage over 200 cubic feet shall be FOUR

DOLLARS AND FIFTY-FIVE CENTS (\$4.55) per 100 cubic feet of water usage or sewage flow.

Beginning January 1, 2018, and continuing monthly thereafter until December 31, 2018, and until changed or modified by subsequent amendment(s) to this Ordinance, the basic user charge for all residential and commercial users of the Metro East Sanitary District sewage system shall be TEN DOLLARS AND FIFTY CENTS (\$10.50) for the first 200 cubic feet or less of water usage and/or sewage usage. For residential and commercial users without BOD and TSS surcharges, the user charge for water/sewage usage over 200 cubic feet shall be FOUR DOLLARS AND SEVENTY-FIVE CENTS (\$4.75) per 100 cubic feet of water usage or sewage flow.

Beginning January 1, 2019, and continuing monthly thereafter until December 31, 2019, and until changed or modified by subsequent amendment(s) to this Ordinance, the basic user charge for all residential and commercial users of the Metro East Sanitary District sewage system shall be ELEVEN DOLLARS (\$11.00) for the first 200 cubic feet or less of water usage and/or sewage usage. For residential and commercial users without BOD and TSS surcharges, the user charge for water/sewage usage over 200 cubic feet shall be FIVE DOLLARS (\$5.00) per 100 cubic feet of water usage or sewage flow.

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Residential and Commercial Users (With Surcharges)

Beginning January 1, 2017 and ending December 31, 2017, the basic user charge for residential and commercial users with BOD and TSS surcharges, in addition to surcharge when applicable, shall be TWENTY-FOUR DOLLARS (\$24.00) for the first 500 cubic feet or less of water usage and/or sewage usage. For water/sewage usage over 500 cubic feet, the user charge shall be FOUR DOLLARS AND FORTY CENTS (\$4.40) per 100 cubic feet, plus surcharges.

Beginning January 1, 2018 and ending December 31, 2018, the basic user charge for residential and commercial users with BOD and TSS surcharges, in addition to surcharge when applicable, shall be TWENTY-FIVE DOLLARS (\$25.00) for the first 500 cubic feet or less of water usage and/or sewage usage. For water/sewage usage over 500 cubic feet, the user charge shall be FOUR DOLLARS AND SIXTY-FIVE CENTS (\$4.65) per 100 cubic feet, plus surcharges.

Beginning January 1, 2019 and ending December 31, 2019, the basic user charge for residential and commercial users with BOD and TSS surcharges, in addition to surcharge when applicable, shall be TWENTY-SIX DOLLARS (\$26.00) for the first 500 cubic feet or less of water usage and/or sewage usage. For water/sewage usage over 500 cubic feet, the user charge shall be FOUR DOLLARS AND EIGHTY-FIVE CENTS (\$4.85) per 100 cubic feet, plus surcharges.

Industrial Users

Beginning January 1, 2017 and ending December 31, 2017, until changed or modified by subsequent amendment(s) to this Ordinance, the basic user charge for industrial users with BOD and TSS surcharges, in addition to surcharge when applicable, shall be TWENTY-FOUR DOLLARS (\$24.00) for the first 500 cubic feet or less of water usage and/or sewage usage. For water or sewage usage over 500 cubic feet up to 400,000 cubic feet, the user charge shall be FOUR DOLLARS AND FORTY CENTS (\$4.40) per 100 cubic feet, plus surcharge when applicable, and for water and/or sewage usage in excess of 400,000 cubic feet, the user charge shall be ONE DOLLAR AND FIFTY-TWO CENTS (\$1.52) per 100 cubic feet of water and/or sewage usage, plus surcharge when applicable.

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Beginning January 1, 2019 and ending December 31, 2019, until changed or modified by subsequent amendment(s) to this Ordinance, the basic user charge for industrial users with BOD and TSS surcharges, in addition to surcharge when applicable, shall be TWENTY-SIX DOLLARS (\$26.00) for the first 500 cubic feet or less of water usage and/or sewage usage. For water or sewage usage over 500 cubic feet up to 400,000 cubic feet, the user charge shall be FOUR DOLLARS AND EIGHTY-FIVE CENTS (\$4.85) per 100 cubic feet, plus surcharge when applicable, and for water and/or sewage usage in excess of 400,000 cubic feet the user charge shall be ONE DOLLAR AND SIXTY-SEVEN CENTS (\$1.67) per 100 cubic feet of water and/or sewage usage, plus surcharge when applicable.

Wastewater Surcharge Calculations

The basic user charge shall be based on revenue requirements for meeting treatment costs including costs of treating flow contributed by infiltration and inflow, operation and maintenance costs, replacement costs, debt service costs, administrative costs and bad debt costs.

The basic user charge for users with water usage 5,000 cubic feet or less shall be based on water usage as recorded by water meters and/or sewage meters for wastes having an average concentration of:

- A. A five day, 20 degree centigrade (20 C) biochemical oxygen demand (BOD) of 250 mg/L.
- B. A suspended solids (SS) content of 300 mg/L.

The basic user charge for users with water usage 5,000 cubic feet or less shall cover costs of treatment of actual flow of average strength sewage (BOD = 250 mg/L and SS = 300 mg/L), operation and maintenance costs, replacement costs, cost of treating flow contributed by infiltration and inflow, administrative costs and bad debt expense costs. For users, where there exists reasonable evidence, as determined by the President, that a user's discharge has a higher concentration or less, such user may be required to install and operate monitoring equipment approved by MESD to accurately determine actual BOD and SS concentrations in the discharge. If the waste does exceed the average concentration for users with water usage 5,000 cubic feet or less, a surcharge shall be levied for all excess BOD and all excess SS. The surcharge shall be based on metered flow and measured concentrations of BOD and SS.

The basic user charge for users with water usage at least 5,000 cubic feet or more shall be based on water usage as recorded by water meters and/or sewage meters for wastes having an average concentration of:

- A. A five day, 20 degree centigrade (20 C) biochemical oxygen demand (BOD) of 250 mg/L.
- B. A suspended solids (SS) content of 300 mg/L.

The basic user charge for users with water usage at least 5,000 cubic feet or more shall cover costs of treatment of actual flow of average strength sewage (BOD = 250 mg/L and SS = 300 mg/L), operation and maintenance costs, replacement costs, cost of treating flow contributed by infiltration and inflow, administrative costs and bad debt expense costs. A surcharge will be levied to all users whose wastes exceed the average concentration of BOD = 250 mg/L and SS = 300 mg/L. The surcharge shall be based on metered flow and measured concentrations of BOD and SS.

The surcharge rates shall cover actual additional treatment costs. The surcharge rate for excess BOD and SS shall be the same as the current Granite City sewer use charge rate for surcharge, and be updated and changed annually.

The commercial/industrial billed users who have uses of water exceeding 5% of total usage, which is used in their process and does not discharge, and cannot be discharged into the sanitary sewer system, may request that a deduction be made for that portion of water use that does not discharge into the sanitary sewer system. The user must submit satisfactory evidence to MESD that the flow cannot be discharged into the sanitary sewer system. In all such cases, the President shall determine whether or not the flow may be deducted for billing purposes and his decision shall be final and conclusive.

Annual Review of Rates

The adequacy of the wastewater service charge shall be reviewed, not less often than annually, by certified Public Accountants for the MESD in their annual audit report. the wastewater service charge shall be revised periodically to reflect a change in local capital cost of a change in operation and maintenance costs including replacement costs.

The users of wastewater treatment services will be notified annually, in conjunction with a regular bill, of the rate and that portion of the user charges which are attributable to the wastewater treatment operation, maintenance and replacement.

Late Fees

All sewer bills are due and payable twenty-four (24) days following the date of billing. All bills not paid on or before the 24th day are delinquent after the 24th day following the date of billing. In addition to the actual delinquent sewer bill, interest will be added at a rate of one and one-half percent (1 ½%) per month and charged to all subsequent sewer bills commencing on the day following the due date.

SECTION 2: That all other provisions not in conflict with this Amending Ordinance of Ordinances Nos. 665, 686, 687A, 737, 747, 80-0-3, 84-0-8, 87-0-004, 88-0-004, 91-0-004, 95-0-001, 95-0-003, 98-0-005, 2007-0-009 and 2008-0-003, 2008-0-008A, 2009-0-002, 2010-0-003 and 2016-0-008 shall remain in full force and effect.

PASSED by the Board of Commissioners of the Metro East Sanitary District of Madison and St. Clair Counties of Illinois on the _____ day of _____, 20_____.

APPROVED this _____ day of _____, 20_____.

Metro East Sanitary District by:

President

ATTEST:

Clerk (Seal)

Ayes _____ Nays _____