

ORDINANCE NO. 2019-0-004

**AN ORDINANCE FOR THE LEVYING OF A SURCHARGE FOR
COST INCURRED IN MAINTAINING AND REPAIRING SEWAGE
COLLECTION LINES IN THE CITY OF MADISON, ILLINOIS**

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

Section 1. Background. On or about May 9, 2017 two sewage collection lines broke in the City of Madison, Illinois. The lines were repaired by the Metro East Sanitary District (the "District"). The cost of the repair and maintenance totaled \$521,264.75. The sewer rates in effect in 2017 were not sufficient to cover this expense of the District.

Section 2. "Agreement". On November 4, 1964 the City of Madison and the District entered into an agreement for the District to accept the City of Madison's sanitary sewage and industrial waste. A copy of the "Agreement" and the District's Resolution No. 542 are attached and incorporated herein as "Exhibit A".

Section 3. Rate Authority.

1. Pursuant to Section 7 of the "Agreement" the District can revise the service charge ... "in the event that such existing and effective rates are not sufficient to cover all expenses"...

2. Section 2-3 of the Metro East Sanitary District Act of 1974 provides in part ... "in case the costs of such conduits, drains, treatment plants, pumping plants or works is increased by reason of providing treatment, carrying-off and disposal of the sewage or industrial wastes of any city, village or town, then the increased cost thereof and the increased cost of operating and maintaining the same shall be borne by such city, village or town". (70 ILCS 2905/2-3).

Section 4. Repair Surcharge.

In order to recover the repair costs for the broken/ruptured sewer line that occurred in the City of Madison on or about May 9, 2017 the following repair surcharge shall be charged users of sewers in the City of Madison, Illinois:

Residential users: \$4.00 per month;
Commercial users: \$10.00 per month;
Industrial users: \$15.00 per month.

The repair surcharge shall be in addition to current user charges. This surcharge shall remain in effect until the District recovers the cost of the May 9, 2017 repairs.

PASSED by the Board of Commissioners of the Metro East Sanitary District of Madison and St. Clair Counties of Illinois on the _____ day of _____, 2019.

APPROVED this _____ day of _____, 2019.

Metro East Sanitary District by:

President

ATTEST:

Clerk

(Seal)