

ORDINANCE NO. 14-2015

**AN ORDINANCE AMENDING THE GILBERTS VILLAGE CODE
CONCERNING SANITARY SEWER CONNECTION FEES**

WHEREAS, pursuant to state statute, the Village Board has the authority to operate and maintain a sanitary sewer system, and to charge a connection or tap-on fee to allow a property to connect to its sewer system; and

WHEREAS, the Village Board has determined that it is in the best interests of the Village to modify the method for calculating sanitary sewer connection (tap-on) fees to establish a graduated fee structure based on the amount of capacity in the sewer system at the time of connection and the increased demand made on the system by future user and development.

THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GILBERTS AS FOLLOWS:

Section 1. Recitals. The recitals set forth above are hereby incorporated into and made a part of this Ordinance as though set forth in this Section 1.

Section 2. Amendment. Subsection A of Section 2-4-5-2, entitled "Sewer Fees and Deposit" of the Gilberts Village Code is amended in its entirety to hereafter be and read as follows:

~~A. Sanitary Sewer Residential and Nonresidential (Tap-On) Connection Fee: Four thousand five hundred dollars (\$4,500.00):~~

A. Sanitary Sewer (Tap-On) Connection Fees: The connection (tap-on) fee for connecting to the Village's sanitary sewer system will be calculated based on the population equivalency (P.E.) of the proposed use, as follows:

- 1. Single Family Residential Dwelling: 3.2 P.E./unit**
- 2. Multiple Family Residential Dwelling: 2.0 P.E./unit**
- 3. Non Residential Uses: The applicable P.E. for industrial, commercial, and other non-residential connections will be individually determined on a case-by-case basis, based upon a number of criteria including historical flows and/or loadings. The minimum P.E. for a nonresidential use is 4.0 P.E.**

The Village Board will adopt by ordinance a schedule of the required amount of the connection fee per P.E., which will be subject to annual increases. The connection fee schedule will contain multiple tiers for each year, with a graduated fee increase in each succeeding tier. The structure of the connection fee schedule and tiers will be based on a number of factors, including the amount of capacity in the Village's

sewer system at the time an applicant requests connection to the system. It is the purpose of the connection fee schedule to establish a fee structure that is proportional to the increased demand made on the Village's sanitary sewer system by future uses and development.

Section 3. Adoption of Fee Schedule. The President and Village Board of Trustees hereby adopts and approves the sanitary sewer connection fee schedule establishing the amount of the connection fee to be calculated on a per P.E. basis, which schedule is attached to this Ordinance as **Exhibit A**.

Section 4. Severability. In the event a court finds this Ordinance or any provision hereof to be invalid or unenforceable as applied, that finding will not affect the validity of the remaining provisions of this Ordinance and the application thereof to the greatest extent permitted by law.

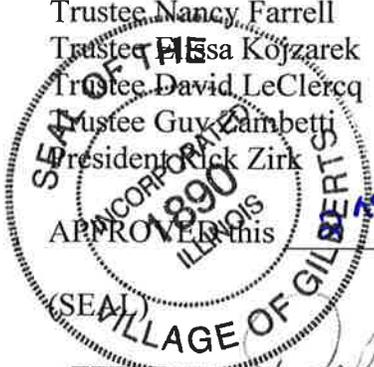
Section 5. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict with this Ordinance are repealed; provided that nothing in this Ordinance will affect any rights, actions, or claims that may have accrued to the Village prior to the Ordinance's effective date.

Section 6. Effective Date. This Ordinance shall be in full force and effect from and after its approval in the manner provided by law.

PASSED BY ROLL CALL VOTE OF THE BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois, this 2nd day of June, 2015.

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Dan Corbett	✓	_____	_____	_____
Trustee Louis Hacker	_____	_____	✓	_____
Trustee Nancy Farrell	✓	_____	_____	_____
Trustee Lisa Kojzarek	✓	_____	_____	_____
Trustee David LeClerc	_____	_____	✓	_____
Trustee Guy Zambetti	✓	_____	_____	_____
President Rick Zirk	_____	_____	_____	_____

APPROVED this 2nd day of June, 2015



[Signature]
Village President Rick Zirk

ATTEST: [Signature]
Village Clerk, Debra Meadows

Published: June 3, 2015

Exhibit A

Connection Fee Schedule

Exhibit A

Connection Fee Schedule

	PE Available Per Tier	Cost Per PE	# of SF Homes Per Tier	Connection Fee Per SF Home
Tier 1	640	\$3,000	200	\$9,600.0
Tier 2	640	\$3,060	200	\$9,792.0
Tier 3	640	\$3,121	200	\$9,987.2
Tier 4	640	\$3,184	200	\$10,188.8
Tier 5	640	\$3,247	200	\$10,390.4
Tier 6	640	\$3,312	200	\$10,598.4
Tier 7	640	\$3,378	200	\$10,809.6
Tier 8	640	\$3,446	200	\$11,027.2
Tier 9	640	\$3,515	200	\$11,248.0
Tier 10	428	\$3,585	133	\$11,472.0