

ORDINANCE NO. 2020-0-019

AN ORDINANCE AMENDING ORDINANCE NO. 665, 686, 687A, 737, 747, 80-0-3, 84-0-8, 88-0-004, 91-0-004, 95-0-001, 95-0-003, 98-0-005, 2007-0-007, 2007-0-009, 2008-0-003, 200-8-007, 2008-0-008A, 2009-0-002, 2010-0-003, 2013-0-003, 2013-0-004 and 2016-0-008, 2018-0-002 ENTITLED “AN ORDINANCE REGULATING: THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTLLATION AND CONNECTION OF BUILDING SEWERS, THE DISCHARGE OF WATER AND WASTES INTO THE PUBLIC SYSTEM, AND PROVIDING PENALTIES FOR VIOLATINS THEREOF; THE LEVYING OF CHARGES FOR WASTWATER 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 COMMISIONERS OF THE METRO EAST SANITARY DISTRICT, SAINT CLAIR AND MADISON COUNTIES, ILLINOIS, AS FOLLOWS:

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

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

All users should be used monthly.

Any user, using over 9750 GPM per month within any twelve-month period shall be required, at the user’s expense, to install proper flow, BOD and TSS monitoring equipment as approved by MESD. All proper flow BOD and TSS monitoring equipment approved by MESD shall be installed within six months from the passage of this ordinance. All new users subject to this ordinance shall, at the user’s expense, install proper flow, BOD and TSS monitoring equipment approved by MESD on or before any usage of water or sewer systems. Any users that do not currently exceed 9750 GPM per month within any twelve-month period shall be required within thirty (30) days or six (6) months from the passage of this ordinance, whichever is later, to install, at the user’s expense, a proper flow BOD and TSS monitoring system approved by MESD if the usage increases over 9750 GPMs per month within any twelve (12) month period.

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) for the first 1500 gallons or less of water usage and or sewer usage. For residential and commercial users without BOD and TSS surcharges, the user charge for

water/sewer charges 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 amendments 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 sewer usage. For residential and commercial users without BOD and TSS surcharges, the user charge for water/sewer usage over 1500 gallons shall be FOUR DOLLARS 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 amendments 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/sewer 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 Sewage Area

For the year bringing 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 (\$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 sewer usage and, thereafter, for operation, maintenance and repair to the Eagle Park Sanitary collection system. For residential and commercial users without BOD and TSS surcharges, the user charge for water/sewer usage over 1500 gallons shall be FOUR DOLLARS FIFTY-FIVE CENTS (\$4.55) per 750 gallons of water usage or sewer 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 (\$5.00) per month user minimum charge added to the TEN DOLLARS FIFTY CENT (\$10.50) minimum user charge resulting in a total minimum charge of FIFTEEN DOLLARS AND FIFTY CENTS (\$15.50) per month for the first 1500 gallons or less of water usage and/or sewage usage, 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/sewer usage over 1500 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 (\$5.00) per month user minimum charge added to the ELEVEN DOLLARS FIFTY CENT (\$11.00) minimum user charge resulting in a total minimum charge of SIXTEEN DOLLARS AND FIFTY CENTS (\$16.00) per month for the first 1500 gallons or less of water usage and/or sewage usage, 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/sewer usage over 1500 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 DOLLARS (\$5.00) per month user minimum charge added, the sum of ELVEN DOLLARS (\$11.00) for the first 1500 gallons or less of water 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 where 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 amendments 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 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 Metro East Sanitary District sewage systems 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.

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 200 cubic feet 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 200 cubic feet shall be FOUR DOLLARS AND FIFTY-FIVE CENTS (\$4.55) per 100 cubic feet 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 200 cubic feet 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 200 cubic feet shall be FOUR DOLLARS AND SEVENTY-FIVE CENTS (\$4.75) per 100 cubic feet of water usage or sewage flow.

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 200 cubic feet 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 200 cubic feet shall be FIVE DOLLARS (\$5.00) per 100 cubic feet of water usage or sewage flow.

This Ordinance is modified and there shall be, in addition to the FIVE DOLLARS (\$5.00) per month user minimum charge added, the sum of ELEVEN DOLLARS (\$11.00) for the first 200 cubic feet 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 where 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 where 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 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 cubic feet of water and/or sewage usage, plus surcharge when applicable.

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 500 cubic feet up to 400,000 cubic feet, the user charge shall be FOUR DOLLARS AND SIXTY-FIVE CENTS (\$4.65) 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-EIGHT CENTS (\$1.58) per 100 cubic feet of water and/or sewage usage, plus surcharge when applicable.

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.

Waste water 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 expense 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 waters having an average concentration of:

- A. A five-day, 20 degree centigrade (20 C) biochemical oxygen demand of 250 mg/L.
- B. A suspended solids (TSS) 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 average strength sewage (BOD= 250 mg/L and TSS= 300 mg/L), operation and maintenance costs, replacement costs, debt service costs, 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 of less, such user may be required to install and operate monitoring equipment approved by MESD to accurately determine actual BOD and TSS concentrations in the discharge. If the waste water does exceed the average concentrations for users with water usage 5,000 cubic feet of less, a surcharge shall be levied for all excess BOD and all excess TSS.

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 waters having an average concentration of:

- A. A five-day, 20 degree centigrade (20 C) biochemical oxygen demand of 250 mg/L.
- B. A suspended solids (TSS) 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 average strength sewage (BOD= 250 mg/L and TSS= 300 mg/L), operation and maintenance costs, replacement costs, debt service costs, administrative costs and bad debt expense costs. A surcharge will be levied to all users whose waste exceed the average concentration of BOD= 250 mg/L and TSS = 300 mg/L. the surcharge shall be based on metered flow and measured concentration of BOD and TSS.

For users, using over 9750 GPM per month within any twelve-month period, shall be required, at the user's expense, to install proper flow, BOD and TSS monitoring equipment as approved by MESD. All proper flow BOD and TSS monitoring equipment approved by MESD shall be installed, at the user's expense, within six months from the passage of this ordinance. All new users subject to this ordinance shall have proper flow, BOD and TSS monitoring equipment approved by MESD installed on or before any usage of water or sewer systems. Any users that do not currently exceed 9750 GPM per month within any twelve-month period shall be required within thirty (30) days or six (6) months from the passage of this ordinance, whichever is later, to install, at the user's expense, a proper flow BOD and TSS monitoring system approved by

MESD if the usage increases over 9750 GPMs per month within any twelve (12) month period. The surcharges shall be based on metered flow and measured concentration of BOD and TSS.

The surcharge rates shall cover actual additional treatment costs. The surcharges shall be based on metered flow and measured concentration of BOD and TSS. The surcharge rate for excess BOD and TSS 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 and 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.

Additional Surcharges

Any user subject to the provisions of this Ordinance that uses over 9750 GPM in any twelve (12) month period that does not have a proper flow BOD and TSS monitoring system approved by MESD installed, at the owners expense, within six (6) months from the passage of this ordinance, or thirty (30) days of exceeding 9750 GPM in any twelve (12) month period whichever is later, shall be subject to an additional surcharge, in addition to any other service or other charges, of FIVE HUNDRED DOLLARS (\$500.00) per month until such user is compliant with the provisions of this Ordinance.

SECTION 2: That all other provisions not in conflict with this Amending Ordinance of Ordinance Nos: 665, 686, 687A, 737, 747, 80-0-3, 84-0-8, 88-0-004, 91-0-004, 95-0-001, 95-0-003, 98-0-005, 2007-0-007, 2007-0-009, 2008-0-003, 200-8-007, 2008-0-008A, 2009-0-002, 2010-0-003, 2013-0-003, 2013-0-004, 2016-0-008 and 2018-0-002 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: _____