

ORDINANCE NO. 2024-0-008

**AN ORDINANCE TO AUTHORIZE AN AGREEMENT WITH
TAXING DISTRICTS CONCERNING WAIVING OF
FEES FOR RIGHT OF ENTRY APPLICATION AND AGREEMENTS**

WHEREAS, the Metro East Sanitary District is a Sanitary District created and organized by Illinois Statute 70ILCS 2905// et. Seq; and

WHEREAS, the Metro East Sanitary District owns property, easements and right of ways all within its Madison County and St. Clair County jurisdictions; and

WHEREAS, Currently per ordinance, MESD has in effect a Right of Entry Application and Agreement which governs other entities, including taxing districts, rights and obligations when entering onto, over or above, below or through MESD property, easements and rights of ways; and

WHEREAS, the Metro East Sanitary District Right of Entry Application and agreement requires a Non-Refundable Agreement Fee of One Thousand Dollars (\$1,000.00); and

WHEREAS, in many instances the Metro East Sanitary District finds that taxing districts and their contractors are required to enter onto MESD property, easements and right of ways for those districts and in such instances, it is the taxing district paying the \$1,000.00 Agreement Fee: and

WHEREAS, the Metro East Sanitary District has found that in many instances those other taxing districts interests are similar to MESD's interests or provide a direct benefit to MESD's interests; and

WHEREAS, the Metro East Sanitary District is advised, it may promote efficiency in the Metro East Sanitary District work, as well as other taxing district work to waive the payment of the \$1,000.00 Application fee when that similar interests exist; and

WHEREAS, the Metro East Sanitary District finds that other taxing districts levy revenue from the same taxpayers as MESD and it is not efficient to charge the \$1,000.00

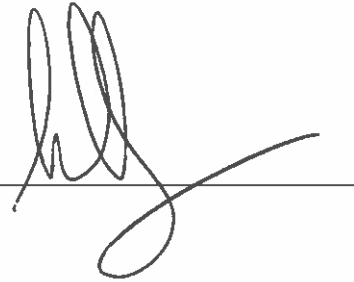
Application Fee; and

NOW THEREFORE, BE IT HEREBY RESOLVED by the Commissioners of the Metro East Sanitary District, in Madison and St. Clair Counties, located in the State of Illinois, that when there is a Right of Entry Application and Agreement submitted by a taxing district or a contractor on the taxing district's behalf for a particular project or interest, the MESD Executive Director should review the Application to determine whether that taxing district project or interest aligns with the interest of the MESD and if so, present to the Board of Commissioners at a duly convened meeting of the Board a request to waive the \$1,000.00 Non-Refundable Agreement Fee. The request must set forth the basis for said waiver outlining the MESD interest.

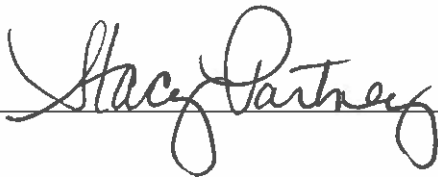
This Resolution shall take effect upon passage, and may be published by the District Clerk.

ADOPTED this 19 day of March, 2024.

APPROVED _____

A handwritten signature in black ink, appearing to be "M. J. ...", written over a horizontal line.

ATTEST: _____

A handwritten signature in black ink, reading "Stacy Partney", written over a horizontal line.