

**ORDINANCE NO. 2023-04**

**AN ORDINANCE AMENDING CHAPTER 86, SECTION 86-198 OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS REGARDING SEWER IMPACT FEES**

**WHEREAS**, the Village of Stickney (the “Village”) is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

**WHEREAS**, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret, and amend its ordinances, rules, and regulations; and

**WHEREAS**, the Village President (the “President”) and the Board of Trustees of the Village (the “Village Board” and with the President, the “Corporate Authorities”) are committed to ensuring the health, safety and welfare of Village residents; and

**WHEREAS**, Section 11-139-8 of the Illinois Municipal Code (65 ILCS 5/11-139-8) authorizes municipalities operating combined waterworks and sewage systems to establish, revise and maintain rates as compensation for the use and operation of the combined waterworks and sewage systems; and

**WHEREAS**, currently, the Municipal Code, Village of Stickney, Illinois (the “Village Code”) sets forth certain fees for sewer service within the Village; and

**WHEREAS**, the costs to the Village to repair, maintain and service the Village’s sewer system increase annually as the sewer system ages and increased demand is placed on the sewer system by Village residents and businesses; and

**WHEREAS**, based on the foregoing, the Corporate Authorities have determined that it is in the best interests of the Village and its residents to implement a sewer system impact fee to help defray the costs of repairing, maintaining and servicing the Village’s sewer system; and

**WHEREAS**, based upon the foregoing, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the Village and its residents to amend Chapter 86, Section 86-198 of the Village Code as set forth below;

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:**

**ARTICLE I.  
IN GENERAL**

**SECTION 1. INCORPORATION CLAUSE.**

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

**SECTION 2. PURPOSE.**

The purpose of this Ordinance is to amend Chapter 86, Section 86-198 of the Village Code to implement a sewer system impact fee to help defray the costs of repairing, maintaining and servicing the Village's sewer system and to authorize the President or his designee to take all actions necessary to carry out the intent of this Ordinance.

**ARTICLE II.  
AMENDMENT OF CHAPTER 86, SECTION 86-198 OF THE MUNICIPAL CODE, VILLAGE  
OF STICKNEY, ILLINOIS**

**SECTION 3.0. AMENDMENT OF CHAPTER 86, SECTION 86-198.**

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution, or Village Code section to the contrary, by amending Chapter 86, Section 86-198, which Section shall be amended as follows:

**Sec. 86-198. Fees.**

A. Fees for sewer connections shall be as follows:

(1) Storm and sanitary sewer .....\$50.00

Plus, per linear foot .....0.20

(2) Grease traps for restaurants and buildings .....50.00

(3) Repair of grease traps .....25.00

(4) Bond as applicable. ....

B. Sewer System Impact Fees. The following rates shall be charged monthly as sewer system impact fees:

(1) Residential users. Residential class of sewer system users shall be defined as all residential premises served containing three or fewer dwelling units. Each residential unit which is connected to the Village's sewer system shall be assessed a sewer system impact fee of \$5.00 per month.

(2) Commercial users. Commercial class of sewer system users shall be defined as all business or commercial establishments, all residential premises containing four or more dwelling units, and all business and commercial establishments containing one or more residential dwelling units. Each commercial user which is connected to the Village's sewer system shall be assessed a sewer system impact fee of \$5.00 per month.

(3) Industrial users. Industrial class of sewer system users shall be defined as all industries including establishments, except dwellings, located in the areas zoned as industrial districts in the Village. Each industrial user which is connected to the

Village's sewer system shall be assessed a sewer system impact fee of \$25.00 per month.

(4) *Liability for service and penalty for late payment.* The owner of the premises, the occupant thereof and user of the sewer services shall be jointly and severally liable to pay the sewer system impact fee on such premise. A penalty of ten percent (10%) shall be added to all impact fees not paid within the allowable time. When a date of billing is on a weekend or a legal holiday, then such bills shall be payable on the next succeeding business day, without any additional penalty.

(5) *Implementation.* The impact fees set forth in this section shall be implemented beginning on May 1, 2023.

### **SECTION 3.1. OTHER ACTIONS AUTHORIZED.**

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms or notices to be utilized in connection with the intent of this Ordinance.

### **ARTICLE III. HEADINGS, SAVINGS CLAUSES, PUBLICATION, EFFECTIVE DATE**

#### **SECTION 4. HEADINGS.**

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

#### **SECTION 5. SEVERABILITY.**

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

#### **SECTION 6. SUPERSEDER.**

All code provisions, ordinances, resolutions, rules, and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

#### **SECTION 7. PUBLICATION.**

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

**SECTION 8. EFFECTIVE DATE.**

This Ordinance shall be effective and in full force ten (10) days after its passage, approval and publication in accordance with applicable law.

**[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**

PASSED this 21<sup>st</sup> day of March, 2023.

AYES: Trustee Savopoulos, Milenkovic, Torres, Kapolnek and Hrejsa

NAYS: None

ABSENT: None

ABSTENTION: Trustee White

APPROVED by me this 21<sup>st</sup> day of March, 2023.

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Jeff White, President Pro Tem

ATTESTED AND FILED in my  
office this 21<sup>st</sup> day of March, 2023.

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Audrey McAdams, Village Clerk