

ORDINANCE NO. 871

**AN ORDINANCE AUTHORIZING AND PROVIDING FOR AN
AMENDMENT OF CHAPTER 15 OF THE CODE OF THE FOX METRO
WATER RECLAMATION DISTRICT, KANE, KENDALL, WILL AND DU PAGE
COUNTIES, ILLINOIS**

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF
FOX METRO WATER RECLAMATION DISTRICT, KANE, KENDALL,
WILL AND DU PAGE COUNTIES, ILLINOIS AS FOLLOWS:

Section 1. Findings. It is found, determined and declared as follows:

(a) The District has heretofore adopted Ordinances pursuant to Chapter 15 of the Fox Metro Water Reclamation District Code which comply with federal and state laws and regulations providing for the collection of user charges sufficient to produce necessary revenues for the operation, maintenance, replacement, debt, and capital costs of the System. The District Code sets forth the method of determining the rate of that charge from time to time.

(b) Pursuant to the provisions of the federal and state laws and regulations and District Ordinances, the District is required to review the user charge rate periodically and revise the charge to reflect a change in the costs as set forth herein, and that pursuant thereto the District has made a review.

(c) That the Fox Metro Water Reclamation District serves many different municipalities and users which are not a consistent, uniform billing cycle, and the legislative intent of this Board is to apply the increase as specified herein below to all Users, irrespective of the billing cycles in which said User exists and irrespective of whether usage of this system has occurred prior to the effective date of the increases and before the next billing cycle.

(a) That the need for the increases as hereinafter provided has been established by a 2017 Rate Study recently submitted to the District on February 22, 2017 by Sikich, LLP. Operating principles, ILEPA agreements, and other loan covenants requires the

rate increases to maintain a solvent sewer user charge system.

Section 2: User rate established. Chapter 15 of the Fox Metro Water Reclamation District Code is hereby amended to read as follows:

"Sec. 15.33. User rate established.

(b) There shall be and there is hereby established and imposed upon all users of the District's wastewater facilities and sewerage system a User Charge of **\$5.97** per 1,000 gallons of water consumption to be computed as set forth herein and in other applicable District Ordinances, said charge to become effective **June 1, 2017**, and to continue until **May 31, 2018**, at which time the User Charge shall be **\$6.24** per 1,000 gallons of water consumption to be computed as set forth herein and in other applicable District Ordinances, said charge to become effective **June 1, 2018** and to continue until **May 31, 2019** at which time the User Charge shall be **\$6.53** per 1,000 gallons of water consumption to be computed as set forth herein and in other applicable District Ordinances, said charge to become effective **June 1, 2019**, and to continue until **May 31, 2020** at which time the User Charge shall be **\$6.83** per 1,000 gallons of water consumption to be computed as set forth herein and in other applicable District Ordinances, said charge to become effective **June 1, 2020** and to continue until **May 31, 2021** at which time the User Charge shall be **\$7.14** per 1,000 gallons of water consumption to be computed as set forth herein and in other applicable District Ordinances, said charge to become effective through **May 31, 2022** until otherwise changed. Until otherwise changed. Each of the foregoing rate increases shall be applied to the billing cycle, which occurs on or after the effective date of the increase. The foregoing rates shall be reviewed biannually in the rate study.

Section 3: Severability. This Ordinance is severable and the invalidity or unconstitutionality of any portion thereof shall not affect the remaining portions thereof

Section 4: Effective date. This Ordinance shall be in full force and effect upon its adoption.

ADOPTED by the Board of Trustees of Fox Metro Water Reclamation District this 17th day of January 2018 by a roll call vote as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Judith S. Sotir	✓	—	—	—
Michael C. Funkey	✓	—	—	—
Albert E. Heriaud	✓	—	—	—
Christopher F. Childress	✓	—	—	—
Dave Krahn	✓	—	—	—



President of the Board of Trustees of
Fox Metro Water Reclamation District

ATTEST: Albert E. Heriaud
Clerk of the Board of Trustees of
Fox Metro Water Reclamation District

(SEAL)



STATE OF ILLINOIS)
)
COUNTY OF KENDALL)

CERTIFICATION

I, Al Heriaud, DO HEREBY CERTIFY that I am the duly qualified and now acting Clerk of the Board of Trustees of FOX METRO WATER RECLAMATION DISTRICT, of Kane, Kendall, DuPage and Will Counties, Illinois, and that as such Clerk, I am the keeper of the records and files of the Board of Trustees of said Fox Metro Water Reclamation District.

I DO FURTHER CERTIFY that I have the care and custody of all official records, and that the foregoing is a true and correct copy of "AN ORDINANCE OF THE BOARD OF TRUSTEES OF FOX METRO WATER RECLAMATION DISTRICT, KANE, KENDALL, DU PAGE AND WILL COUNTIES FOR AN AMENDMENT OF CHAPTER 15 OF THE CODE OF THE FOX METRO WATER RECLAMATION DISTRICT, KANE, KENDALL, WILL AND DU PAGE COUNTIES, ILLINOIS", duly adopted by the Fox Metro Water Reclamation District at a Regular Board meeting held on the 17th day of **January, 2018**.

IN WITNESS WHEREOF, I have hereunto affixed my hand and the official seal of said Fox Metro Water Reclamation District, this 17th day of **January, 2018**.

Attest

Albert S. Heriaud

CLERK OF THE BOARD OF TRUSTEES
OF THE FOX METRO WATER RECLAMATION DISTRICT

(SEAL)



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