

**CHAPTER 4  
FEES AND CHARGES**

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**4.01 CONNECTION FEES** *Amended, 349, 340, 323, 297, 267*

Unless otherwise established through an annexation agreement, the following connection fees shall be paid for any tap-on or connection to the Lake in the Hills Sanitary District system:

1. Single family dwelling unit, \$5,200;
2. Multiple family dwelling unit, 1 bedroom unit; \$2,650;
3. Multiple family dwelling unit, 2 or more bedrooms per unit; \$5,200;
4. For each hotel or motel unit, \$2,100;
5. Commercial, industrial and special use: for those uses not specifically covered by ordinance or written agreement with the District, the connection charge shall be based upon the District's engineer's estimate of the amount of sewage flow as related to a single family dwelling unit.

**4.02 ANNEXATION, FEES** *Amended, 297*

A. All annexations to the District shall be in accordance with the applicable sections of the Sanitary District Act of 1917, 70 ILCS 2405/0.1 *et seq.* All such proposed annexations shall be by petition to the Board of Trustees and filed with the Clerk, unless otherwise provided by the Illinois Compiled Statutes.

B. At the time of filing a petition for annexation with the Clerk, six copies of an accurate plat of the territory proposed to be annexed shall accompany the petition. The petitioner(s) shall certify that said plat is correct. Said plat shall clearly delineate the boundaries of the territory proposed to be annexed. Such plat shall show all points at which the territory is contiguous to the District and all public roads and highways contained within the territory

proposed to be annexed.

C. At the time of the approval of an annexation ordinance and before filing a certified copy of said ordinance, together with a plat of annexation with the McHenry County Clerk, an acreage fee of \$1,200 per acre, or portion thereof, shall be paid by the party or parties petitioning for such annexation to the District to cover the cost of additions and enlargements of the District water pollution control facilities and sewer systems. The Board of Trustees may determine the method of payment and grant extensions of time of payment at its discretion.

1. All fees shall be paid at the time of the application for sewerage service. However, the Board of Trustees shall have the power to establish a discount for prepayment of the connection fee when the same shall be paid prior to an established date and shall be part of a major new expansion of said system.
2. All costs and expenses for sanitary sewer lines shall be paid by the land developer/owner and/or customer. The customer shall provide such service as is necessary from the structure to the lateral sewer and the lateral sewer where applicable.

#### 4.03 **REVIEW SERVICES, INSPECTION CHARGES** *Amended, 297*

Any annexation or other petitions, engineering documents, proposals and annexation agreements negotiated or reviewed by the District shall be subject to payment of certain fees as follows:

1. For review of any engineering plans, specifications, costs and quantity estimates, a minimum of \$350 plus three percent of the estimated construction cost of the project to be reviewed as a deposit which shall be due upon application for sewer extension.
2. For inspection services to ascertain that the improvements are in accordance with the rules, regulations, standards and ordinances of the District, \$350 and three percent of the estimated construction cost as a deposit, which shall be due and payable prior to approval of the proposed construction.
3. In the event there is a balance on a review or inspection deposit after project completion to the satisfaction of the District, the balance will be returned upon request to the depositor.
4. All attorneys' fees incurred by the District, including out of pocket expenses.

#### 4.04 **GIS FEE** *Amended, 297*

Prior to approval of a final plat of subdivision, a \$45.00 Geographic Information System (GIS) fee shall be paid to the District for each lot within the subdivision. Said fee shall be used by the District for the preparation and/or updating of the District's GIS map.

4.05 **USER CHARGES** *Amended, 362,359,350, 349, 340, 323, 297, 276, 267*

The following charges shall be made for the use of and for the service supplied by the District:

1. Residential dwelling unit, \$22.00 per month or \$66.00 per quarter.
2. Non-residential units shall be charged a quarterly rate proportional to the single family equivalent (SFE) of \$66.00 per SFE.
3. For non-residential users the rate shall be based upon the District Engineer's estimate of the amount of sewage flow as related to a single family dwelling unit;
4. For all users whose sewage exceeds the normal concentration of BOD 150 mg/l and Suspended Solids 180 mg/l, a surcharge shall be levied, based on water usage as recorded by water meters and/or sewage meters for all wastes which exceed the 150 mg/l and 180 mg/l concentration for BOD and SS respectively.

In addition to Section 4.10, CPI Computation, herein, the adequacy of the wastewater service connection charges shall be reviewed annually. The wastewater service connection charge shall be revised periodically to reflect current conditions, maintenance and replacement costs.

A. **Surcharge Rate:** The rates of surcharges for CBOD and SS shall be as follows:

$$\begin{aligned} \text{CBOD} &= \$2.10/\text{lb}/\text{day} \\ \text{SS} &= \$2.55/\text{lb}/\text{day} \end{aligned}$$

- B. **Computation of Surcharge:** The concentration of wastes used for computing surcharges shall be established by waste sampling and determined by the District Engineer. Waste sampling shall be performed as often as may be deemed necessary by the District Engineer and shall be binding as a basis for surcharges.
5. Senior citizen user charge, as regulated in Section 4.09, \$18.50 per month or \$55.50 per quarter charge.
  6. Any fees incurred by the District for recording Documents with the Recorder of Deeds (for example, liens) shall be the responsibility of the user.

7. In addition to the other charges described in this Section, each residential dwelling unit or SFE shall be charged a Biosolids Management Surcharge in the amount of \$2.00 per month or \$6.00 per quarter.

**4.06 BILLING FOR SEWERAGE SERVICE** *Amended, 362, 340, 326, 319, 303, 302, 297, 274*

A. Any and all users of the premises shall be jointly and severally liable to pay the sewer user service charge for service to the premises, and service is furnished to the premises by the District only upon the condition that the users are jointly and severally liable therefore to the District. All bills shall be mailed to the owner of record. The District shall not be responsible for forwarding bills to tenants or other persons. All bills shall be payable not later than the close of business on the 15<sup>th</sup> day after the date the bills are mailed. If payment of the full amount of the bill is not made within said period, a penalty of 10 percent of the amount due shall be added.

Except as provided herein, the joint and several liability of any users of the premises shall include all charges due and owed pertaining to such premises regardless of the date that person became a user pursuant to this Chapter or any preceding ordinance of the District. In the event any premises are sold, transferred or assigned to another (hereinafter referred to as the "transferee") by any person or entity theretofore responsible for payment of charges (hereinafter referred to as the "transferor"), it shall be the responsibility of both the transferor and the transferee to notify, in writing, the District of the intended transfer no less than five working days prior to the date of the intended transfer of the premises. Upon notification, the District shall render a final prorated bill for such service, and upon full payment thereof, the transferor shall thereafter be relieved of any further responsibility for such service. In the event the District is not so notified of such transfer, the transferee shall be deemed jointly and severally liable with the transferor for all unpaid charges for the premises incurred up to and including the date of the transfer, as well as thereafter.

B. The 10 percent penalty required in Section 4.06-A may be waived in the event all of the following conditions are met:

1. A written request for such waiver must be presented to the District; and
2. Such written request must be received by the due date of the customer's next bill; and
3. The customer has displayed a good payment history during the preceding 36 months. A good payment history shall be defined as having (a) no penalties posted to the account, and (b) no penalty waivers requested for the account during the preceding 36 months and (c) no returned checks associated with the account.

The penalty waiver request form shall be as follows:

Lake in the Hills Sanitary District  
Penalty Waiver Request

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Account #: \_\_\_\_\_ Penalty Amount: \_\_\_\_\_

Date Requested: \_\_\_\_\_

Reason for Requesting Penalty to be Waived:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I request a review of my payment history and the waiver of the penalty on my account per Chapter 4 of the Lake in the Hills Sanitary District Code of Rules and Regulations.

Signature: \_\_\_\_\_

C. In the event the charges for service are not paid within 30 days after mailing the bill, such charges shall be declared delinquent.

1. The District shall send a "delinquency notice" to the delinquent user and/or property owner, advising the user/owner that the account is delinquent and the delinquency charge constitutes a lien upon the real estate for which such service is supplied.
2. If payment is not made, in full, within 15 days after the delinquency notice is issued, the District shall:
  - a. Record a Notice of Lien for such delinquency in the office of the Recorder of Deeds for McHenry County. The recording of such Notice of Lien shall be notice for the payment of the past due amounts. The recording of the lien itself shall be sufficient to include all additional accruing charges to be included in such lien until the date such lien is released. The District may cause notice of its claim for lien to be sent to any or all known users or other

persons with an interest in the premises.

and/or

- b. Refer the delinquent account to the District Attorney for collection, at which time any attorneys' fees and court costs incurred by the District in the collection process shall be the responsibility of the delinquent user and/or property owner to pay and shall become immediately due and owing.
3. If the charges imposed by the District, pursuant to the terms of this Code, have not been paid within 45 days after a bill was issued by the District, the District may order the user to show cause before the District Attorney why the user's Wastewater Discharge or Connection Permit shall not be revoked or suspended and service be terminated. Notice shall be given to the user specifying the time and place of a hearing by a hearing officer designated by the Board of Trustees regarding the violation, the alleged reasons why the action is to be taken, the possible action to be taken, and directing the user to show cause before the hearing officer why its Wastewater Discharge or Connection Permit should not be revoked or suspended and service be terminated. The hearing officer shall be the District Attorney or his designee if there is no specific designation by the Board of Trustees. The notice of the hearing shall be served personally or by registered or certified mail, return receipt requested, at least five days before the hearing. Service of the notice may be made on any agent or officer of a corporation.
4. At any hearing held pursuant to this Code, testimony taken must be under oath and recorded stenographically or by tape recording. The tape recording of said hearing will be made available to any party to the hearing.
5. After the District Attorney has reviewed the evidence, it may issue an order to the user responsible for the delinquency directing either:
  - a. That the Wastewater Discharge or Connection Permit be revoked or suspended and the service be disconnected; or
  - b. That following a specified time, the Wastewater Discharge Permit shall be revoked or suspended and sewer service discontinued unless an agreement is made with the District to cure the delinquency.

D. Administrative Charge: In the event the District uses the services of a collection agency for collecting delinquent charges, an additional administrative charge in the amount of \$55 shall be charged to the delinquent user.

E. Non-Sufficient Funds: A \$25 fee shall be assessed each time a check is returned to the District due to non-sufficient funds (also known as "NSF").

#### 4.07 LIABILITY OF SERVICE

The owner of the premises, the occupant thereof and the user of the service shall be jointly and severally liable to pay for the service on such premises; service is furnished to the premises by the District only upon the condition that the owner of the premises, occupant and user of the service are jointly and severally liable to the District.

#### 4.08 ACCESS TO RECORDS

The IEPA or its authorized representative shall have access to any books, documents, papers and records of the District which are applicable to the District system of user charges or industrial cost recovery for the purpose of making audit, examination, excerpts and transcriptions thereof to insure compliance with the terms of the special and general conditions of any state grant.

#### 4.09 SENIOR CITIZEN CHARGES *Amended, 362, 277*

A. The owner of any residential dwelling unit, age 65 and over, may apply for the senior citizen user charge set forth in paragraph 5 of Section 4.05 herein who meets the following conditions:

1. The dwelling unit is occupied by no other persons under the age of 65 except for the immediate family.
2. The dwelling unit is the principal residence of the owner and all sewer bills are sent to the local address.

B. Upon approval of application for the senior citizen user charge, the rate reduction will be effective in the quarter that application was made.