

**CHAPTER 1
GENERAL PROVISIONS**

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1.01 LAKE IN THE HILLS SANITARY DISTRICT CODE

A. Title: This Code of Ordinances, which is passed pursuant to the powers granted to the Board of Trustees in 70 ILCS 2405/1 *et seq.*, may be known and cited as the Lake in the Hills Sanitary District Code; and also known as the Code.

B. Amendments: Any additions or amendments to this Code are incorporated in this Code so that a reference to the Lake in the Hills Sanitary District Code includes such additions and amendments.

C. Numbering of Sections: Each section number of this Code shall consist of two component parts separated by a period, the figure before the period referring to the chapter number and the figure after the period referring to the section within the chapter.

D. Numbering Additions: The decimal system shall be used for all additions and amendments to this Code. When a chapter or section is added the new chapter or section shall be given a decimal character.

1.02 DEFINITIONS

A. Terms used in this Code, unless specifically defined in this Code, have the meanings prescribed by the Illinois Compiled Statutes for the same terms.

B. Terms used in this Code have the meanings found in Appendix A of this Code.

1.03 REPEAL OF ORDINANCES

A. All general ordinances or parts previously adopted by the President and Board of Trustees and not included in this Code are repealed, except the following which are hereby continued in full force and effect.

1. Ordinances authorizing contracts or the issue of municipal notes or bonds;

2. Ordinances levying taxes or making special assessments;
3. Ordinances appropriating funds or establishing salaries;
4. Ordinances relating to the establishment or dedication of public sanitary sewer systems and related appurtenances;
5. Ordinances regarding the annexation of territory to the District, or the conveyance or acceptance of real property or easements in real property;
6. Ordinances authorizing or relating to particular public improvement;
7. Any other ordinances not in conflict with the provisions of this Code.

B. The provisions of this Code, so far as they are the same in substance as those of existing ordinances, are continuations of such ordinances and not new enactments.

1.04 **ORDINANCES REPEALED NOT REENACTED**

No ordinance or part of any ordinance previously repealed shall be considered reordained or reenacted by virtue of this Code, unless specifically reenacted.

1.05 **ORDINANCES** *Ord. 320*

If an error is found in an ordinance within 30 days after it has been passed, and such error is considered minor or a typographical correction, such ordinance may be corrected. Such corrections shall not affect the effective date of the ordinance.

If an error is found more than 30 days after it has been passed, the Board of Trustees may, by ordinance, declare the ordinance to be nevertheless valid and in effect. If the original ordinance was published in pamphlet form, the Board of Trustees shall order the original ordinance to be published in pamphlet form within 30 days after the passage of the validating ordinance.

1.06 **JURISDICTION**

Unless otherwise provided in this Code, this Code applies to acts performed within the corporate limits of the District. Provisions of this Code also apply to acts performed outside the corporate limits and up to the limits prescribed by law where the law confers power on the District to regulate such particular acts outside the corporate limits.

1.07 **PENALTIES** *Amended, 303*

A. Standard Penalty: Unless another penalty is specifically provided for by this Code for violation of any particular provision, section or chapter, any person violating any provision of

this Code or any rule or regulation adopted or issued hereunder, or any provision of any Code adopted herein by reference, shall, upon conviction, be subject to a fine of not less than \$100 nor more than \$1,000, injunctive relief to restrain violations, recovery of all damages caused by said actions or inactions and incarceration as provided by statute.

“Damages” as used in this Section 1.06-A shall include, but not be limited to, costs to repair damage caused to District owned property, materials and labor, supervision required to make such repairs and, in the event the District is fined by the State of Illinois or the USEPA for violation of the District’s NPDES permit or violation of water quality standards as the result of discharge of pollutants, the fine, including all the District legal, sampling and analytical testing costs and any other related costs, shall be charged to the responsible person.

B. Any violation of this Code, during construction, shall result in the Manager tagging the house or structure and stopping all further construction on the house or structure and premises until the violation is corrected to the satisfaction of the District.

C. Each act of violation and each day upon which a violation occurs constitutes a separate offense.

D. In addition to the fines and damages recoverable by the District, as provided in this Section 1.06, any person violating any provision of this Code shall be liable to reimburse the District for all reasonable attorney’s fees, costs and expert witness fees incurred in the investigation and prosecution of such violation.

E. The remedies provided in this Code shall not be exclusive and the District may seek whatever other remedies are authorized by statute or in equity against any person or Industrial User violating the provisions of this Code.

F. Applicability: The penalty provided by this Section 1.06 applies to the amendment of any section of this Code or a code adopted herein by reference, whether or not such penalty is reenacted in the amendatory ordinance.

G. Reference to Sections: Reference to a section of this Code shall be understood to refer to and include the penalty section relating thereto, unless otherwise expressly provided.

H. Collection: In the event any fee, including, but not limited to those relating to retained personnel, fines, penalties, repair, abatement, restitution and reimbursement, found in any section of this Code that is due the District and is not paid, the cost of collecting said fee shall be added to the fee. Collection costs shall include, but not be limited to, prosecution and attorney fees.