

ORDINANCE NO. 9105-2022

**AN ORDINANCE AMENDING TITLE V (PUBLIC WORKS),
CHAPTER 50 (SEWERS), SECTION 50.023 (SEWER LATERAL REPAIR
PROGRAM INSTALLATION AND CONNECTION) OF THE REVISED
CODE OF ORDINANCES OF THE CITY OF BELLEVILLE, AS AMENDED**

THE CITY OF BELLEVILLE, ST. CLAIR COUNTY, ILLINOIS (THE "CITY"), IS A DULY ORGANIZED AND EXISTING MUNICIPALITY CREATED UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF ILLINOIS.

THE CITY OF BELLEVILLE IS NOW OPERATING UNDER THE PROVISIONS OF THE MUNICIPAL CODE, AS SUPPLEMENTED AND AMENDED AND AS A HOME RULE MUNICIPALITY PURSUANT TO ARTICLE VII OF THE ILLINOIS CONSTITUTION OF 1970; AND IN THE EXERCISE OF ITS HOME RULE POWERS.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLEVILLE, ILLINOIS, AS FOLLOWS:

Section 1. **Section 53.023** is hereby amended by repealing 53.023 (Sewer Lateral Repair Program Installation and Connection) in its entirety, and substituting in lieu thereof Section 53.023 (Sewer Lateral Repair Program Installation and Connection), as follows:

§ 50.023 SEWER LATERAL REPAIR PROGRAM INSTALLATION AND CONNECTION.

(A) All costs and expenses incidental to the installation and connection of a sanitary sewer to the building shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the sewer. The owner is responsible for all maintenance and repair of the sewer lateral from the building to the city sewer main. This section shall apply even where said sewer runs under a public street or a public right-of-way or uses a public easement.

(B) (1) The Sewer Lateral Repair Program covers the cost of repairing that portion of a defective sewer lateral that begins immediately beyond the property line of a premises and extends to the sewer main. For residential accounts, the program will cover 100% of the costs of repairs to a maximum of \$15,000. For commercial accounts, the program will cover one-half of the cost of repairs on a 50% to 50% basis to a maximum of \$15,000. However, a deductible of \$100 shall apply to the cost of any repair undertaken in conjunction with this program. When repairs are necessary, the Director of Wastewater Treatment or a designee will solicit bids from qualified contractors when the estimated cost for the repair is \$10,000 or more. If the estimated cost is less than \$10,000, quotes will be secured.

(2) The Sewer Lateral Repair Program shall apply to all property that is billed for sewer service. To establish a fund from which to pay the cost of replacing qualified defective sewer laterals, a sewer-usage fee of ~~\$0.02 a day shall be added to each sewer account~~\$0.06 per day effective January 1, 2023, \$0.08 per day effective January 1, 2024, and \$0.10 per day effective January 1, 2025.

(3) The owner of a premises remains responsible for sewer laterals that run from the premises foundation to the property line.

(4) When a property owner experiences a problem with their lateral sewer service line, the owner must first have a licenses and bonded company to determine where the problem is. (Sometimes the problem is not with the line itself, but it may have become clogged by materials in the line.) As a common home maintenance expense, the cost of this determination is not reimbursable by the city. If the problem is proven to be beyond the property line, the owner should contact the city. The city reserves the right to determine if an emergency situation exists.

(5) If necessary, the city will arrange for the Wastewater Treatment Department to perform a dye test. In most instances this will disclose if, and where, there is a break in the sanitary sewer lateral.

(6) The property owner, not the tenant, must make the request to participate in the program.

(C) (1) ~~Beginning 8-1-2008, the fee of \$0.02 a day~~In order to finance the sewer lateral repair a fee shall be charged to each sewer account in the amount of \$0.06 per day effective January 1, 2023, \$0.08 per day effective January 1, 2024, and \$0.10 per day effective January 1, 2025.

(2) Beginning 1-1-2009, the implementation of repairs via this program will begin.

Section 2. That conflicting Ordinances or pertinent portions thereof in force the time this takes effect are hereby repealed.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval and publication, in pamphlet form, all as provided by law.

PASSED by the City Council of the City of Belleville, Illinois, on this 19th day of December, 2022 on the following roll call vote:

	<u>AYE</u>	<u>NAY</u>
Joe Hazel	<u> X </u>	<u> </u>
Brian Whitaker	<u> X </u>	<u> </u>
Carmen Duco	<u> X </u>	<u> </u>

Jamie Eros	<u> X </u>	<u> </u>
Kent Randle	<u> X </u>	<u> </u>
Scott Ferguson	<u> X </u>	<u> </u>
Johnnie Anthony	<u> X </u>	<u> </u>
Raffi Ovian	<u> </u>	<u> X </u>
Ed Dintelman	<u> X </u>	<u> </u>
Michelle Schaefer	<u> X </u>	<u> </u>
Chris Rothweiler	<u> X </u>	<u> </u>
Dr. Mary G. Stiehl	<u> X </u>	<u> </u>
Dennis C. Weygandt	<u> X </u>	<u> </u>
Phil Elmore	<u> X </u>	<u> </u>
Nora Sullivan	<u> X </u>	<u> </u>
Kara Osthoff	<u> X </u>	<u> </u>

APPROVED by the Mayor of the City of Belleville, Illinois this 20th day of December, 2022.

Patty Gregory

 MAYOR

ATTEST:

AMK

 CITY CLERK