

ORDINANCE NO. 2023-- 1

AN ORDINANCE AMENDING ORDINANCE 2011-2 PROVIDING FOR  
THE LEVYING OF CHARGES  
FOR WASTEWATER TREATMENT  
SERVICES BY THE TOWNSHIP OF  
CASEYVILLE, ST CLAIR COUNTY, ILLINOIS  
EFFECTIVE JULY 1, 2023

WHEREAS, the Board of Trustees of the Township of Caseyville, St. Clair County, Illinois now owns and operates a sewerage system including two wastewater treatment plants; and

WHEREAS, the Board of Township Trustees desires to enact fair and equitable rates in order to pay for the operation, maintenance, and replacement of said facilities and to pay the debt service on outstanding bonds and for bonds issued to fund the upgrade and expansion of the East and West Wastewater Treatment Facilities.

BE IT ORDAINED and enacted by the Board of Trustees of Caseyville, Township St. Clair County, State of Illinois as follows:

**ARTICLE I**

**Sec. 1 Basis for water service charges:** The wastewater service charge for the use of and for service supplied by the wastewater facilities of Caseyville Township, St. Clair County, Illinois user charge for operation and maintenance plus replacement, applicable surcharges and debt service charge.

The debt service charge is computed by dividing the annual debt service of all outstanding bonds, and loans by the number of users for Class 1 users. Through further divisions, the monthly debt service charges can be computed.

The debt service charge is computed as a fixed charge plus a charge per 1000 gallons for Class 2 users.

The basic user charge shall be based on water usage as recorded by water meters and/or sewage meters for wastes having the following normal concentrations:

- (a) Class 1 Users (Residential)
  - (i) A five day, 20 degree centigrade (20c) biochemical oxygen demand (BOD) of 150 mg/l
  - (ii) A suspended solids (SS) content of 200mg/l

(b) Class 2 and Class 3 Users (Commercial)

- (i) A five days, 20 degree centigrade (20 c) biochemical oxygen demand (BOD) of 150mg/l.
- (ii) A suspended solids (SS) content of 200 mg/l

It shall consist of operation and maintenance costs plus replacement and shall be computed as follows:

- (a) Estimate wastewater volume, pounds of SS and pounds of BOD to be treated.
- (b) Estimate the projected annual revenue required to operate and maintain the wastewater facilities including a replacement fund for the year, for all works categories.
- (c) Proportion the estimated O, M, & R costs to each user class by volume, suspended solids, and BOD.
- (d) Proportion the estimated O, M, & R costs to wastewater facility categories by volume, suspended solids, and BOD.
- (e) Compute costs per 1000 gallons for normal sewage strength for each class.
- (f) Compute surcharge costs per pound per 1000 gallons in excess of normal sewage strength for BOD and SS allowed in each class.

A surcharge will be levied to all Class 1 users whose waters exceed the normal domestic concentrations of BOD (150 mg/l) and SS (200 mg/l) and to all Class 2 and Class 3 users whose waters exceed the concentration of BOD of 150 mg/l and SS of 200 mg/l. The surcharge will be based on water usage as recorded by water meters and/or sewage meters for all wastes which exceed the permitted concentration for BOD and SS. Article I; Section 6 specifies the procedure to compute a surcharge.

The adequacy of the wastewater service charge shall be reviewed, not less often than annually, by Certified Public Accountants for the Township of Caseyville Sewer District in their annual audit report. The wastewater service charge shall be revised periodically to reflect a change in operation and maintenance costs including replacement costs.

The users of wastewater treatment services will be notified annually, in conjunction with a regular bill, of the rate and that portion of the user charges, which are attributable to the wastewater treatment operation, maintenance, and replacement.

**Sec. 2 Measurement of flow:** The volume of flow used for computing basic user charges and surcharges shall be the metered water consumption read to the lowest even increments of 100 gallons.

- (a) If the person discharging wastes into the public sewers procures any part, or all, or his water from sources other than the Public Waterworks System, all or a part of which is discharged into the public sewers, the person shall install and maintain at his expense, water meters of a type approved by the Superintendent of the Sewer System for the purpose of determining the volume of water obtained from these other sources.
- (b) Devices of measuring the volume of waste discharged may be required by the Township Trustees if these volumes cannot otherwise be determined from the metered water consumption records.
- (c) Metering devices for determining the volume of waste shall be installed, owned, and maintained by the person. Following approval and installation, such meters may not be removed, unless service is canceled, without the consent of the Board of Township Trustees.
- (d) In the event that the water meter is not recording properly the superintendent shall estimate the monthly charge based on the past usage. It would be the responsibility of the owner to maintain and insure that the meter is recording properly at all times.
- (e) The property owner shall at all times be required to maintain access to water meter or provide meter reading to the Township for computing user charges.

**Sec. 3 Debt Service Charges:**

- (a) Class 1 users – A debt service charge of \$10.84 per Class 1 User per month is hereby established. Effective July 1, 2023
- (b) Class 2 and 3 Users – The following debt service charges are hereby established for Class 2 and Class 3 Users:
  - (i) From 1 to 3000 gallons a charge of \$30.39 per month
  - (ii) Over 4000 gallons a charge of \$ 8.00 per 1000 gallons per month. Effective July, 1 2023.

**Sec. 4 Basic User Rates and User Charge Computations:**

- (a) Class 1 Users – It is hereby established that rates for Class 1 users are as follows:

Standardized Class 1 Water Consumption: 4000 gallons/user/month

Caseyville Township O, M, and R user charge: \$4.79 per 1000 gallons

Standardized Class 1 O, M, and R Charge:		
Cost for O, M, and R \$4.79 x 4000 gallons/month	=	\$19.16/
Standardized Debt Service Charge	=	month
Standardized Class 1 User Charge	=	\$10.84/month
Effective July 1, 2023		\$30.00/month

- (b) Class 2 and Class 3 Users – It is hereby established that rates for Class 2 and Class 3 Users are as follows, and shall be determined for monthly billed users by the following formula:

MONTHLY CLASS 2 RATE  
(3000 gallons or less flat rate)

Maximum usage 3000 gallons per month x O, M, and R cost \$5.87 per 1000 gal.	=	\$17.61/month
Minimum Debt Service Charge	=	\$30.39/month
TOTAL CLASS 2 CHARGE	=	\$48.00/month
Effective July 1, 2023		

MONTHLY CLASS 3 RATE

First 4000 gallons x O, M, and R cost \$ 5.79 per 1000 gal.	(A)	= \$23.16/month =
Number of gallons over 4000 = _____ x 8.00 per 1000	(B)	\$ _____/month
gallon Minimum Debt Service Charge	(C)	= \$ 24.84/month
TOTAL CLASS 3 CHARGE	(A+B+C)	= \$ _____/month
Effective July 1, 2023.		

**Sec. 5 Surcharge Rate:** The rates of surcharges for BOD and SS shall be as follows:

Per LB of BOD X % OVER 150 MG/L:     \$ \_\_\_\_\_  
Per LB of SS X %OVER 200 MG/L:       \$ \_\_\_\_\_

**Sec. 6 Computation of Surcharge:** The concentration of wastes used for computing surcharges shall be established by waste sampling. Waste sampling shall be performed as often as may be deemed necessary for the Board of Township Trustees and shall be binding as a basis for surcharges.

## ARTICLE II GENERAL PROVISIONS

**Sec. 1 Bills:** Said rates or charges for service shall be payable monthly. 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 to such premises and the service is furnished to the premises by the Caseyville Township Sewer System only upon condition that the owner of the premises, occupant, and user of the services are jointly and severally liable therefore to the Township of Caseyville.

The Superintendent of the Sewer System shall send out bills for sewer service on or before the 1<sup>st</sup> day of the month succeeding the period for which service is billed. All bills are due and payable by the 25<sup>th</sup> day of the month in which they are sent out for monthly billing. A penalty of 10% shall be added to all bills not paid by the due date.

**Sec. 2 Delinquent bills:** If the charges for services are not paid within 30 days after the rendition of the bill for such services, such services shall be discontinued without further notice and shall not be reinstated until all claims are settled.

**Sec. 3 Dishonored Checks:** A handling fee of \$30.00 will be charged for all returned checks.

**Sec. 4 Lien Notice of Delinquency:** Whenever a bill for sewer service remains unpaid for 30 days after it has been rendered, the Superintendent of the sewer system shall file with the County Recorder of Deeds a statement of lien claim. This statement shall contain the legal description of the premises served, the amount of the unpaid bill, and a notice that the Township of Caseyville claims a lien for this amount as well as for all charges subsequent to the period covered by the bill. Charges for lien fees will be \$42.00 plus accounting fees for \$100.00 will be added to your account when liens have to be filed.

The failure of the owner to receive such notice of lien shall not affect the right to foreclose the lien for unpaid bills as mentioned in the foregoing section.

**Sec. 5 Revenues:** All revenues and moneys derived from the operation of the sewerage system shall be deposited in the sewerage account of the sewerage fund. All such revenues and monies shall be held by the Township Treasurer separate and apart from his private funds and separate and apart from all other funds of the Township of Caseyville and all of said sum, without deductions whatever, shall be delivered to the Township Treasurer not more than ten days after receipt of the same, or at such more frequent intervals as may from time to time be directed by the Board of Township Trustees.

The Township Treasurer shall receive all such revenues from the sewage system and all other funds and monies incidental to the operation of such system as the same may be delivered to him and deposited into the account of the fund designated as the "Sewage Fund of the Township of Caseyville." The Township Treasurer shall administer such fund in every respect in the manner provided by statute of the "Revised Cities and Villages Act" effective January 1942.

**Sec. 6 Accounts:** The Township Treasurer shall establish a proper system of accounts and shall keep proper books, records, and accounts in which complete and correct entries shall be made of all transactions relative to the sewage system, and at regular annual intervals he shall cause to be made an audit by an independent auditing firm to verify the books and to show the receipts and disbursements of the sewage system.

In addition to the customary operating statements, the annual audit report shall also reflect the revenues and operating expenses of the wastewater facilities, including a replacement cost, to indicate that sewer service charges, in fact, meet these regulations. In this regard, the financial information to be shown in the audit report shall include the following:

1. Flow data showing total gallons received at the wastewater plant for the current fiscal year.
2. Billing data to show total number of gallons billed per fiscal year.
3. Debt service for the next succeeding fiscal year.
4. Number of Class 1 users connected to the system.
5. Number of Class 2 and Class 3 users connected to the system.
6. A list of users discharging in excess of permitted BOD and SS in each class and volume of waste discharged.

**Sec. 7 Notice of rates:** Each user will be notified by the Township of Caseyville in conjunction with a regular bill, of the rate and that portion of the user charges, which are attributable to wastewater treatment services. Including the financial information of Section 6.

**Sec. 8 Penalty:** Any person, firm, or corporation violating any provision of this article shall be fined not less than \$100.00 or more than \$10,000.00 for each offense.

**Sec. 9 Access to Records:** The IEPA or its authorized representative shall have access to any books, documents, papers and records of the Township of Caseyville which are applicable to the Township of Caseyville system of user charges for the purpose of making audit, examination, excerpts, and transactions thereof to insure compliance with the terms of the special and general conditions to any state grant.

**ARTICLE III  
EFFECTIVE DATE OF RATES**

The rates and service charges established for user charges in Article I, Section 3 through 7 shall be effective as of July 1, 2023 and on bills to be rendered for the month of June for all monthly users.

**ARTICLE IV  
VALIDITY**

If any section, paragraph, clause or provision of this ordinance shall be held to be invalid or enforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

**ARTICLE V  
APPEALS**

The method for computation of rates and service charges established for user charges in Article I, section 3 through 7 shall be made available to a user within 14 days of receipt of a written request for such. Any disagreement over the method used or in the computations thereof shall be remedied by the Township of Caseyville Supervisor within thirty (30) days after notification of a formal written appeal outlining the discrepancies.

**ARTICLE VI  
REPEAL OF CONFLICTING PROVISIONS**

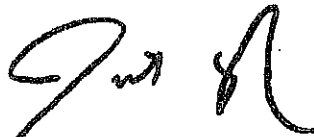
All ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of the conflict, expressly repealed on the effective date of this ordinance, July 1, 2023 per conditions in Section 5 above.

**ARTICLE VII  
ORDINANCE IN FORCE**

This ordinance shall be in full force and effect from and after its passage, approval, and publication or posting as provided by law.

Passed by the Board of Caseyville Township Trustees, St. Clair County, Il on the 18th of April, 2023.

  
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Supervisor

  
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Clerk