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**THE CITY OF ROCHELLE**  
**Ogle County, Illinois**

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**RESOLUTION**  
**NO. \_\_\_\_\_**

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**A RESOLUTION AMENDING RESOLUTION 24-14**

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**JOHN BEARROWS, Mayor**  
**ROSE HUERAMO, City Clerk**

**TOM McDERMOTT**  
**BIL HAYES**  
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**DAN McDERMOTT**  
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**City Council**

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Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle  
Peterson, Johnson, and Murray, LLC, City Attorneys  
1301 W. 22nd Street – Ste. 500 Oak Brook, Illinois 60523

CITY OF ROCHELLE  
Ogle County, Illinois

RESOLUTION NO. \_\_\_\_

**A RESOLUTION AMENDING RESOLUTION 24-14**

**WHEREAS**, Section 7 of Article VII of the 1970 Constitution of the State of Illinois provides that a municipality that is not a home rule unit shall only have the powers granted to them by law and as such the City of Rochelle, Ogle County, Illinois being a non-home rule unit pursuant to the provisions of said Section 7 of Article VII, and may exercise only the powers expressly granted by law; and

**WHEREAS**, the Illinois General Assembly granted non-home rule municipalities broad authority to “pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities.” 65 ILCS 5/1-2-1; and

**WHEREAS**, while “non-home rule municipalities have the authority to enact ordinances, such ordinances may in no event conflict with state law or prohibit what a state statute expressly permits . . . A local ordinance may impose more rigorous or definite regulations in addition to those enacted by the state legislature so long as they do not conflict with the statute.” (*Village of Wauconda v. Hutton*, 291 Ill. App. 3d 1058, 1060 (1997)); and

**WHEREAS**, on February 26, 2024 the City approved Resolution 24-14, “A Resolution Amending Water Reclamation Rates and Price Schedule of Utility Charges:” and

**WHEREAS**, Paragraph D of Section 1, of Attachment A, “Residential, Commercial and Minor Industrial” should have indicated that a Customer’s Base Cubic Feet usage shall be the cubic feet of water during the monthly billing period with an ending meter reading date on or after *March 1*, of the billing year (emphasis added); and

**WHEREAS**, a correct and amended version of Exhibit A from Resolution 24-14 is attached herein as “Exhibit A – revised 5.13.24”; and

**WHEREAS**, in order to accurately reflect the intent of the amendments to the price schedule of utility charges and rates for sanitary sewerage and wastewater treatment, it is necessary to amend Resolution 24-14, by replacing Exhibit A with the attached “Exhibit A – revised 5.13.24”; and

**WHEREAS**, the Mayor and City Council find that it is in the best interest of the City and its residents to amend Resolution 24-14 by replacing Exhibit A with the attached “Exhibit A – revised 5.13.24.”

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHELLE, ILLINOIS:**

SECTION ONE: That the City hereby incorporates all of the recitals above into this Resolution as if fully set forth herein.

SECTION TWO: The Mayor and City Council hereby amend Resolution 24-14 by replacing Exhibit A with “Exhibit A – revised 5.13.24” attached herein.

SECTION THREE: If any provision of this Resolution or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Resolution is severable.

SECTION FOUR: Where the conditions imposed by any provisions of this Resolution are more restrictive than comparable provisions imposed elsewhere in any other local law, ordinance, resolution, rule or regulation, the regulations of this Resolution will govern.

SECTION FIVE: The City Clerk shall publish this Resolution in pamphlet form.

SECTION SIX: This Resolution shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

APPROVED THIS 13<sup>th</sup> day of May 2024

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MAYOR

ATTEST:

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CITY CLERK

**Exhibit A – revised 5.13.24**  
**Amended Water Reclamation Rate, Price Schedule of Utility Charges and Rates**

**PRICE SCHEDULE OF UTILITY CHARGES AND RATES FOR SANITARY SEWERAGE  
AND WASTEWATER TREATMENT (RATES EFFECTIVE AUGUST 1, 2024)**

Pursuant to Section 98-4 of the Rochelle Municipal Code, this Price Schedule provides user charges and rates for sanitary sewerage and wastewater treatment and replaces and supersedes those charges and rates previously established.

**SECTION 1: Residential, Commercial and Minor Industrial**

- A. Residential, commercial, and minor industrial sewage which is primarily domestic in nature shall be charged the following rates:

August 1, 2024:

<u>Rate Component</u>	<u>Residential, Commercial, Minor Industrial Customers</u>
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Fixed Charge

Water Meter Only \$9.08 per month

Water and Sewer Meter \$90.20 per month

Basic User Rate \$3.09 per 100 Cubic Feet (748 Gallons)

IEPA Replacement \$0.45 per 100 Cubic Feet (748 Gallons)

Non-Debt Funded Projects \$1.65 per 100 Cubic Feet (748 Gallons)

Capital Recovery \$0.70 per 100 Cubic Feet (748 Gallons)

**TOTAL: \$5.89 per 100 Cubic Feet (748 Gallons)**

- B. All wastewater discharged into the city sewerage system shall comply with Chapter 98, Article IV (Sewers and Sewage Disposal) of the Rochelle Municipal Code. Residential, commercial, and minor industrial customers with wastewater characteristics which exceed domestic sewage characteristics shall be charged an additional surcharge rate in accordance with Section 3 below.
- C. If sewage is shown to be other than characteristic of normal domestic sewage, it shall be subject to the charges associated for the entire group and as stated in this Price Schedule.
- D. Residential Summer Sewer Rates. For the purpose of calculating sewer charges for Residential Class Water customers during the summer months, not more than 125% of the Customer's Basic Cubic Feet usage shall be used to calculate the volume sewer charge for monthly billing in April, May, June, July, August and September. For the purposes hereof a

Customer's Base Cubic Feet Usage shall be the cubic feet of water use during the monthly billing period with an ending meter reading date on or after March 1 of the billing year. If there is no cubic feet usage during the base period, the customer base will be 600 cubic feet.

**SECTION 2: Major Industrial Customers**

A. Major industrial customers (MIC) are those customers that discharge, on average more than 200,000 gallons of process wastewater per day, to the City's anaerobic lagoon. A MIC must discharge at least 6,000,000 gallons (802,139 cubic feet) of wastewater per month for eleven out of twelve months.

August 1, 2024 MIC Category I  
Fixed Charge \$90.20/month  
Basic User Rate \$3.22/per 100 Cubic Feet  
IEPA Replacement \$0.66/per 100 Cubic Feet  
Non-debt Projects \$0.09/per 100 Cubic Feet  
Capital Recovery \$1.26/per 100 Cubic Feet  
**TOTAL: \$5.23/per 100 Cubic Feet**

B. The City of Rochelle at its discretion may agree to enter into a separate contract for wastewater pretreatment and/or treatment with a MIC. Any contract entered into shall be based on the cost of wastewater treatment, capital recovery, and associated costs of the total wastewater plant and system. If no contract is entered into, the MIC customer shall be charged in accordance with this Price Schedule.

**SECTION 3: Villages of Creston and Hillcrest**

A. Rochelle Municipal Utilities provides wastewater treatment for the Villages of Creston and Hillcrest per agreements between the City and the Villages

B. The volume of billed wastewater is recorded by a sanitary sewer flow meter on the sanitary forcemain or gravity sewer line that connects the Village sanitary sewer system to the Rochelle Municipal Utilities sanitary sewer system.

C. The rates of charge for the Village of Creston are as follows:

August 1, 2024 Village of Creston  
Fixed Charge \$90.20/month  
Basic User Rate \$2.08/per 100 Cubic Feet  
IEPA Replacement \$0.30/per 100 Cubic Feet  
Non-debt Projects \$0.00/per 100 Cubic Feet  
Capital Recovery \$0.40/per 100 Cubic Feet  
**TOTAL: \$2.78/per 100 Cubic Feet**

D. The rates of charge for the Village of Hillcrest are as follows:

August 1, 2024 Village of Hillcrest  
Fixed Charge \$90.20/month  
Basic User Rate \$2.08/per 100 Cubic Feet  
IEPA Replacement \$0.30/per 100 Cubic Feet  
Non-debt Projects \$0.00/per 100 Cubic Feet  
Capital Recovery \$0.40/per 100 Cubic Feet  
**TOTAL: \$2.78/per 100 Cubic Feet**

#### SECTION 4: Surcharges

A. A surcharge shall be charged to those users who discharge wastewater into the treatment facilities with pollutant concentrations in excess of 250 mg/l of Biochemical Oxygen Demand (BOD) and 300 mg/l of Total Suspended Solids (TSS).

B. The rates of surcharge for BOD, TSS and Ammonia shall be as follows:

BOD: \$0.17/lb  
TSS: \$0.25/lb  
Ammonia: \$0.78/lb

C. 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 by the City and shall be binding as a basis for surcharges.

BOD:  $\text{Flow (MGD)} \times B \times 8.34 \times BC = CS$   
where  $B = \text{BOD concentration} - 250 \text{ mg/l}$   
 $BC = \$0.17/\text{lb BOD}$   
 $CS = \text{Amount of Surcharge}$

TSS:  $\text{Flow (MGD)} \times S \times 8.34 \times SC = CS$   
where  $S = \text{TSS concentration} - 300 \text{ mg/l}$   
 $SC = \$0.25/\text{lb Suspended Solids}$   
 $CS = \text{Amount of Surcharge}$

Ammonia:  $\text{Flow (MGD)} \times A \times 8.34 \times AC = CA$   
where  $A = \text{Ammonia concentration} - 35 \text{ mg/l}$

AC = \$0.78/lb Ammonia  
CA = Amount of Surcharge

**SECTION 5: Sewer Connection Charge:**

The sewer connection charge is based on population equivalents (PE) as stated by the Illinois Recommended Standards for Sewage Works.

A. Residential	PE	Charge
Single family dwelling	3.5	\$700
Apartments or multifamily dwelling		
Efficiency or Studio	1.0	\$200
1 bedroom	1.5	\$300
2 bedrooms	3.0	\$600
3 bedrooms	3.0	\$600

**B. Commercial**

Based on PE from IEPA connection permit at rate of \$200 per PE, but not less than the single family dwelling charge in effect.

**C. Industrial**

Based on flow and PE from IEPA connection permit at rate of \$200 per PE, but not less than the single family dwelling charge in effect. Charges for flow will be based on impacts the industry has to system. D. In the event a commercial or industrial customer is granted an increase in their Illinois Environmental Protection Agency (IEPA) approved PE then they shall pay a connection fee equal to the amount of the increased PE.

E. The City Council may grant an exemption of all or a portion of the sewer connection charge to units of government.

F. Existing commercial or industrial customers which construct new connections to the City's sewer system would receive a credit in an amount equal to the projected PE reduction from their previous sewer connection.

**CERTIFICATE**

I, \_\_\_\_\_, City Clerk of the City of Rochelle, County of Ogle and State of Illinois, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. \_\_\_\_\_, “A RESOLUTION AMENDING RESOLUTION 24-” which was adopted by the Mayor and City Council of the City of Rochelle on May 13, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 13<sup>th</sup> day of May, 2024.

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CITY CLERK