

### **Ordinance O14-003**

AN ORDINANCE of the Metropolitan Water Reclamation District of Greater Chicago providing for the repeal of the Sewer Permit Ordinance, as amended July 1999, and the Manual of Procedures for the Administration of the Sewer Permit Ordinance, as amended November 1998, except Article 6-5 of the Manual of Procedures for the Administration of the Sewer Permit Ordinance and any corresponding provisions of the Sewer Permit Ordinance necessary to implement Article 6-5

WHEREAS, the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago (District) has full power and authority to pass all necessary ordinances, orders, rules, resolutions and regulations for the proper management and conduct of the business of the Board of Commissioners and the corporation and for carrying into effect the object for which the District is formed; and

WHEREAS, on October 3, 2013, the Board of Commissioners adopted the Watershed Management Ordinance (WMO), which becomes effective May 1, 2014, and sets forth regulations and permitting related to, among other things, erosion and sediment control, drainage and detention, isolated wetlands, floodplain, riparian areas, and qualified sewer construction for development and redevelopment; and

WHEREAS, the WMO will replace the Sewer Permit Ordinance (SPO) and Manual of Procedures for the Administration of the Sewer Permit Ordinance (MOP) as the SPO and MOP relate to the regulation, permitting and enforcement of qualified sewer construction, and those regulations are now contained within the WMO; and

WHEREAS, Article 6-5 of the MOP (Correction of Existing Deficiencies in Separate Sewered Areas), which relates to the Sewer Summit Agreement dated September 1985, will remain in effect until such time that Article 6-5 is replaced by Article 8 (currently reserved) of the WMO; and

WHEREAS, it is now deemed necessary to repeal the existing SPO and MOP, except Article 6-5 of the MOP and any corresponding provisions of the SPO necessary to implement Article 6-5 of the MOP, as both ordinances will be replaced by the WMO; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago:

#### **SECTION ONE — INCORPORATION OF RECITALS**

The above recitals are incorporated herein and made a part hereof.

## SECTION TWO — REPEALER OF SEWER PERMIT ORDINANCE

This Ordinance hereby repeals the SPO, as amended July 1999, in its entirety, with the exception of those corresponding provisions of the SPO necessary to implement Article 6-5 of the MOP.

## SECTION THREE—REPEALER OF MANUAL OF PROCEDURES FOR THE ADMINISTRATION OF THE SEWER PERMIT ORDINANCE, EXCEPT ARTICLE 6-5 OF THE MANUAL OF PROCEDURES FOR THE ADMINISTRATION OF THE SEWER PERMIT ORDINANCE AND ANY CORRESPONDING PROVISIONS OF THE SEWER PERMIT ORDINANCE NECESSARY TO IMPLEMENT ARTICLE 6-5

- This Ordinance hereby repeals the MOP of the SPO, as amended November 1998, except Article 6-5 of the MOP (Correction of Existing Deficiencies in Separate Sewered Areas) and any corresponding provisions of the SPO necessary to implement Article 6-5 of the MOP.

## SECTION FOUR — SAVINGS CLAUSE

- a. Permittees and co-permittees that hold Sewerage System Permits issued prior to the effective date of this Ordinance, and the District, will retain all rights, obligations, and liabilities under the SPO and MOP as they existed prior to their repeal.
- b. Proposed development for which a complete Sewerage System Permit application has been accepted by the District prior to the effective date of the WMO, and the District, will retain all rights, obligations, and liabilities under the SPO and the MOP as they existed prior to their repeal.

## SECTION FIVE—SEVERABILITY

If any provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this Ordinance.

## SECTION SIX—EFFECTIVE DATE

This Ordinance shall take effect on May 1, 2014.

Approved:

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President, Kathleen Therese Meany  
Metropolitan Water Reclamation District of  
Greater Chicago

Approved as to Form and Legality:

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Head Assistant Attorney, Lisa Luhrs Draper

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General Counsel, Ronald M. Hill