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Memorandum

DATE: September 9, 2004
TO: Bruce Walden
FROM: Jack Waaler
RE: Revisions to City Policy/Emergency Sanitary Sewer Connections

Starting in 1993, the Urbana-Champaign Sanitary District required that properties outside of the corporate limits of either Champaign, Urbana or Savoy had to either petition for annexation or be the subject of an annexation agreement with their respective host city if they wanted to connect to the Sanitary District system.

To accommodate people who needed a sanitary sewer connection on a schedule that didn't allow for the drafting and processing of an annexation agreement or annexation petition, the City Council passed Resolution No. 9394-R13, which basically provided that the Sanitary District could be advised that the city would not object to the connection if the city received a legally sufficient petition for annexation or an annexation agreement in the form generally satisfactory to the city.

Occasionally, situations have arisen where a sanitary sewer connection is needed more immediately than the above procedure allows. Those are the situations where, for whatever reason, the City Council will not be meeting either as a City Council or as a Committee for many days. Frequently, these situations involve a public health hazard if they can not be corrected quickly.

To meet this problem, a new Section 3 is being proposed to be added to the standard city policy. Section 3 merely allows for the sanitary sewer connection upon a determination by the Chief Administrative Officer that a public health hazard exists, and the city has received an annexation agreement which appears acceptable to the city or a legally sufficient petition for annexation. This would allow the immediate sewer connection, and the annexation agreement or the petition for annexation can then be processed later by the Council under our normal procedures.

Note also some minor clarifications underlined in the existing Sections 1 and 4.

RESOLUTION NO. 2004-09-019R

A RESOLUTION REVISING A RESOLUTION ESTABLISHING PROCEDURES FOR APPROVAL OF ANNEXATION AGREEMENTS FOR THE PURPOSES OF SANITARY SEWER CONNECTION

WHEREAS, the City of Urbana and the Urbana-Champaign Sanitary District (UCSD) entered into an intergovernmental agreement (UCSD Agreement) which provides that UCSD will not permit persons to connect to its sanitary sewer system unless the property to be served is within the City, within a subdivision approved by the City, or is in an area that is the subject of an annexation or development agreement with the city; and

WHEREAS, UCSD and the City desire to implement the UCSD Agreement without causing unnecessary delay for persons who are willing and able to enter into annexation agreements; and

WHEREAS, the City finds that if a person delivers to the City an irrevocable offer to enter into an annexation or development agreement in the form of an annexation agreement or annexation petition, that UCSD should then be authorized to provide sanitary sewer service to the property under the UCSC Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. An annexation agreement or annexation petition may be presented to the City Council or to a Standing Committee of the Whole City Council for review and approval (or in the case of an annexation agreement, tentative approval) for the purpose of allowing a UCSD sanitary sewer service connection.

Section 2. If the said annexation agreement or annexation petition is acceptable to the City Council or Standing committee of the Whole City Council, they shall, by motion, direct City staff to inform the UCSD that the City of Urbana has received an annexation agreement or annexation petition in

a form acceptable to the City and that said agreement or petition is considered sufficient to authorize UCSD to provide sanitary sewer service to the property.

Section 3. In situations where an existing septic sewer serving the subject property fails, and the Chief Administrative Officer determines that a public health hazard may be created, the Chief Administrative Officer may authorize the City Staff to inform the Urbana-Champaign Sanitary District that the City has received an annexation agreement acceptable to the City, or a legally sufficient petition for annexation. Then the annexation agreement or petition shall be promptly presented to the City Council for their consideration in the normal course of processing rather than following the special procedure set forth in Sections 1 and 2 above.

Section 4. Nothing in this process shall be construed to preempt the requirements of the Illinois State Statutes governing the approval of annexation agreements, nor shall approval of sanitary sewer connections as provided for herein, prevent the City Council from amending, modifying, supplementing or denying approval of the tendered annexation agreement in the final approval process.

PASSED by the City Council this _____ day of _____,
_____.

AYES:
NAYS:
ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____,
_____.

Tod Satterthwaite, Mayor