

ORDINANCE NO. 2013-02-016

**AN ORDINANCE REPEALING ORDINANCE NO. 2007-12-138 AND ESTABLISHING  
A COST REIMBURSEMENT POLICY FOR REPAIR OF ILLEGAL CONNECTIONS OF  
PRIVATE SANITARY SEWER SERVICE LATERALS TO THE STORM SEWER SYSTEM  
AND REPAIR OF PRIVATELY-OWNED SANITARY AND STORM SEWER SERVICE  
LATERALS**

**WHEREAS**, the repair of a privately-owned sanitary and storm sewer service lateral may require the removal and replacement of sidewalks, alleys, and streets within City right-of-way; and

**WHEREAS**, the City Council heretofore did on the 28th day of December 2007, pursuant to Ordinance No. 2007-12-138, approve a Council policy regarding a reimbursement program for illegal connections of private sanitary sewer service laterals to the storm sewer system and repair of sanitary and storm sewer service laterals; and

**WHEREAS**, after due and proper consideration, the City Council finds that the best interests of the City are served by repealing Ordinance No. 2007-12-138 and by establishing a cost reimbursement policy for repair of illegal connections of private sanitary sewer service laterals to the storm sewer system and repair of privately-owned sanitary and storm sewer service laterals as described herein.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

**Section 1.**

Ordinance No. 2007-12-138 is hereby repealed upon the effective date of this Ordinance. The repeal of such Ordinance shall not abrogate or affect any act committed or done or any penalty or forfeiture incurred or any pending litigation or prosecution under such repealed Ordinance.

**Section 2.**

In place of said Ordinance herein repealed, the City Council hereby establishes a cost reimbursement policy for repair of illegal connections of private sanitary sewer service laterals to the storm sewer system and repair of privately-owned sanitary and storm sewer service laterals in accordance with the following requirements:

A. If an illegal sanitary sewer connection to the storm sewer system is found in a City right-of-way, the City shall reimburse the property owner up to four thousand dollars (\$4,000) or fifty percent (50%), whichever is lower, of the reasonable costs of materials, equipment, and labor involved in the removal and repairs to alley or street pavement and sidewalk and necessary backfill to effectuate such removal and replacement.

B. If private sanitary sewer lateral repairs are required in a City right-

of-way, the City shall reimburse the property owner up to four thousand five hundred dollars (\$4,500) or seventy-five percent (75%), whichever is lower, of the reasonable costs of materials, equipment, and labor involved in the removal and repairs to alley or street pavement and sidewalk and necessary backfill to effectuate such removal and replacement.

- C. Reimbursement is limited to one time for any sanitary or storm sewer service lateral.
- D. The City's reimbursement obligation shall cease immediately and without the requirement of further payment if in any fiscal year the City Council fails to appropriate or otherwise make available funds for this policy.
- E. The Public Works director shall develop such written requirements as may be necessary to implement this policy, which shall be effective upon approval of the City Council.
- F. The Public Works director shall have sole authority to determine eligibility for reimbursement, prioritization of requests, and compliance with this policy. Any appeal of decisions of the Public Works director shall be made to the Mayor; and the Mayor shall be the final authority.

**Section 3.**

This Ordinance shall be in full force and effect from and after its passage.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

**PASSED BY THE CITY COUNCIL** this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

AYES:

NAYS:

ABSENT:

ABSTAINED:

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

**APPROVED BY THE MAYOR** this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Laurel Lunt Prussing, Mayor