

ORDINANCE NO. 147

**AN ORDINANCE ESTABLISHING A FEE FOR
RESPONDING TO REQUESTS TO LOCATE AND MARK
THE NORTHFIELD WOODS SANITARY DISTRICT SEWER LINES**

WHEREAS, the General Assembly has mandated that all municipal corporations which own any underground utility facilities must join the State-Wide One-Call Notice System (J.U.L.I.E.), as provided for in the Underground Utility Facilities Damage Prevention Act (the "Act") Ill.Rev.Stat. 1989, ch. 111 2/3, par. 1601 et seq.; and

WHEREAS, although the Department of Commerce and Community Affairs (DCCA) has determined that the Act imposes a service mandate, the General Assembly has not made an appropriation to DCCA for the reimbursement of costs imposed by the Act; and

WHEREAS, under paragraph 2208 of the State Mandates Act, the failure of the General Assembly to make such an appropriation relieves this Sanitary District of the obligation of implementing any service mandates under the Act; and

WHEREAS, without such an appropriation under the State Mandates Act, this Sanitary District does not have the personnel and the revenues to implement the services required by the Act on its own.

NOW, THEREFORE BE IT ORDAINED by the President and Board of Trustees of the Northfield Woods Sanitary District, Cook County, Illinois, as follows:

Section 1: That this Sanitary District will participate in the State-Wide One-Call Notice System in accordance with the terms of this Ordinance.

Section 2: That this Sanitary District will provide information requested by J.U.L.I.E. and will comply with any request to locate its sewer lines when activities, as described in Section 4 below, are taking place in an area in which said sanitary sewer lines are located.

Section 3: The fee for responding to a request, locating and marking this Sanitary District's sewer lines shall be \$ 5000.00. The fee shall be paid by the requester prior to the Sanitary District locating and marking its sewer lines.

Section 4: No person, firm or corporation shall undertake activities within the boundaries of this Sanitary District which might interfere with or damage the Sanitary District's sewer lines, and such activities shall include, but are not limited to, excavating, drilling, blasting or otherwise disturbing the subsurface of the earth, without first requesting this Sanitary District to locate and mark its sewer lines and paying the fee provided for in Section 3 above.

Section 5: Any person, firm, corporation, association, agent or legal representative, violating the provisions of this Ordinance shall be subject to a penalty of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1,000.00), and each day the violation continues shall constitute a separate offense.

Section 6: This Ordinance shall be in full force and effect upon its adoption, approval, and publication as provided by law.

ADOPTED this 17th day of JUNE, 1991,
pursuant to a roll call vote as follows:

AYES: 2

NAYS: 0

ABSENT: 0

APPROVED by me this _____ day of _____, 1991.

Dana W. Mox

DANA W. MOX, President

ATTEST:

Walter E. Magrawski
Clerk

Published by me as provided by law on the _____ day of _____, 1991, in the _____, a newspaper published in the Northfield Woods Sanitary District.

Walter E. Magrawski
Clerk

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