
THE CITY OF PLANO
KENDALL COUNTY, ILLINOIS

ORDINANCE
NUMBER 2023 _____

**AN ORDINANCE AMENDING
TITLE 7 CHAPTER 5 SECTION 7-5-6 OF THE CODE OF
ORDINANCES OF THE CITY OF PLANO
CAPITAL IMPROVEMENTS**

MICHAEL RENNELS, Mayor
KATHLEEN MILLER, City Clerk

BARBARA NADEAU
MARK SWOBODA
JAMAL WILLIAMS
JOHN FAWVER
STEPHEN DEBOLT
BEN EATON
THOMAS JOHNS
SCOTT MULLINER

City Council

Published in pamphlet form by authority of the
Mayor and city Council of the City of Plano
on this the 27th day of March, 2023

ORDINANCE NO. 2023-_____

**AN ORDINANCE AMENDING
TITLE 7 CHAPTER 5 SECTION 7-5-6 OF THE CODE OF
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WHEREAS, on the 13th day of February, 1978, the City Council of the City of Plano, Kendall County, Illinois, adopted Ordinance No. 1978-1, entitled: “An Ordinance Establishing Rates and Charges for the Use and Service of the Combined Waterworks and Sewerage Systems of the City of Plano, Kendall County, Illinois”;

WHEREAS, said Ordinance has, from time to time, been amended to adjust the rates or charges for the use of and service supplied by the combined waterworks and sewerage system of the City of Plano, County of Kendall and State of Illinois, to defray all of the expenses incident thereto;

WHEREAS, the City Council did adopt, on the 10th day of January, 2011, Ordinance No. 2011-1, entitled: “AN ORDINANCE AMENDING AN ORDINANCE ESTABLISHING RATES AND CHARGES FOR THE USE AND SERVICE OF THE COMBINED WATERWORKS AND SEWERAGE SYSTEMS OF THE CITY OF PLANO, KENDALL COUNTY, ILLINOIS”;

WHEREAS, pursuant to the provisions of Section 4 of Ordinance No. 2011-1, a water and sewer rate increase was scheduled to take effect commencing on March 1, 2014;

WHEREAS, on March 24, 2014, the City Council did adopt Ordinance No. 2014-9, entitled: “AN ORDINANCE AMENDING CITY OF PLANO ORDINANCE NO. 2011-1 ENTITLED “AN ORDINANCE AMENDING AN ORDINANCE ESTABLISHING RATES AND CHARGES FOR THE USE AND SERVICE OF THE COMBINED WATERWORKS AND SEWERAGE SYSTEMS OF THE CITY OF PLANO, KENDALL COUNTY, ILLINOIS SUSPENDING RATE INCREASES SCHEDULED TO TAKE EFFECT MARCH 1, 2014, AND THEREAFTER”;

WHEREAS, pursuant to the provisions of Ordinance No. 2014-9, the City Council indicated that the water and sewer rate increases that were scheduled to take effect on March 1, 2014, were suspended and deferred pending further study and action by the City Council, and the rates and charges for use and service of the combined waterworks and sewerage systems for the City of Plano in effect as of February 28, 2014 would remain in effect until further action by the City Council;

WHEREAS, the City Council, after studying and deliberation, has determined that at the present time it is in the best interests of the City of Plano to adjust the rates for water services and the rates for sewerage service to ensure that revenues derived from the rates and charges defray the costs and expenses incident to the operations of the waterworks and sewerage systems of the City of Plano; and

WHEREAS, the City of Plano (hereinafter referred to as the “City”) is an Illinois Municipal Corporation organized pursuant to the laws of the State of Illinois;

WHEREAS, the City has in full force and effect a codified set of ordinances which are of a general and permanent nature, which said codified set is known and designated as the City Code of the City of Plano, as amended; and

WHEREAS, the City has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs that protect the health, safety and welfare of its residents including the adoption and imposition of certain taxes.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Plano, Kendall, Illinois in open meeting assembled as follows:

Section One – Recitals

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to this ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this ordinance as legislative findings.

Section Two – Recitals

Pursuant to Title 7 Chapter 5 Section 1 of the City Code for Water Improvements and Extension, “the public purpose of this chapter is that the water well and pump systems and the water distribution systems throughout the city, in their operation and expansion, conduce to the better preservation of the public health, comfort and convenience of the community if certain required improvements be made to the existing plants and mainline systems.”

Section Three – Recitals

Title 7 Chapter 5 Section 2 of the City Code for Water Improvements and Extension, Accomplishing Purpose, states as follows, “The above can best be accomplished by the establishment of an improvement fund which should be acquired in a fair and equitable way from landowners within the corporate limits of the city, taking into consideration the fact that the existing improvement facilities were constructed at the expense of certain landowners within the city. Connection fees to the city systems should be charged in proportion to the benefits received. It is the determination of the city council to provide for depreciation and obsolescence of the main line facilities and all other facilities and appurtenances of the city water system by the establishment of this fund and the contributions thereto in a fair and equitable manner proportionate to the benefits gained.”

Section Four - Amendment

Title 7 Chapter 5 Section 6, Capital Improvements, is hereby modified to include the following:

7-5-6(c) INFRASTRUCTURE FEE

The following Infrastructure Fees shall apply commencing May 1, 2023 and billed on a bi-monthly bill effective May 1, 2023 on the following meter sizes:

<u>Meter Size</u>	<u>Water Bi-Monthly Fee</u>	<u>Sewer Bi-Monthly Fee</u>
3/4 in. or less	\$ 10.00	\$ 10.00
1 in.	\$ 17.78	\$ 17.78

1.5 in.	\$ 40.00	\$ 40.00
2 in.	\$ 71.11	\$ 71.11
3 in.	\$160.00	\$160.00
4 in.	\$284.44	\$284.44
6 in.	\$640.00	\$640.00

Senior Citizens (62 years and older) are exempt from the Infrastructure Fee.

7-5-6(d) INFRASTRUCTURE FEE AND RESIZING OF METER FOR CURRENT AND EXPECTED USE

In an existing home or business, if remodeling and/or a change is expected in water usage either to increase or decrease the usage, the City will provide and install a meter based on the anticipated usage. The customer will be considered like a new customer but have no impact fees, just infrastructure for the new size meter moving forward. The customer must have a licensed Plumber properly size the meter to accommodate the proper needs of the business or residence, taking into account any and all factors including a fire sprinkling system or any additional water device(s). Only one meter is allowed per home or business unit. Each home or meter shall be billed separately.

Section Five – Codification

The title, chapter(s) and section(s) adopted by this ordinance shall be numbered and placed in an appropriate title, chapter(s), and sections(s) sections when and during the codification of the Plano Municipal Code.

Section Six – Conflict Clause

That all ordinances, parts of ordinances or board actions in conflict with the terms of this ordinance shall be repealed to the extent of said conflict.

Section Seven – Passage Clause

That this ordinance shall take full force and effect from and after its passage, approval and publication as provided by law.

Section Eight – Constitutionality Clause

Any part or parts of this ordinance declared by a court of law to be invalid or unconstitutional shall not affect the validity of the remaining provisions of this ordinance or the City of Plano Municipal Code.

Section Nine – Publication

This ordinance shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Ten – Recording

This ordinance shall be entered into the minutes and upon the journals of the City Council of the City of Plano.

DECIDED pursuant to a Roll Call Vote as follows:

	YES	NO	ABSENT	PRESENT
Barbara Nadeau, Ward 1				
Mark Swoboda, Ward 1				
Jamal Williams, Ward 2				
John Fawver, Ward 2				
Stephen DeBolt, Ward 3				
Ben Eaton, Ward 3				
Thomas Johns, Ward 4				
Scott Mulliner, Ward 4				
Michael Rennels, Mayor				
TOTAL				

PASSED AND APPROVED by the City of Plano City Council on the 27th day of March, 2023:

Michael Rennels
Mayor

ATTEST:

Kathleen Miller
City Clerk

STATE OF ILLINOIS)
)
COUNTY OF KENDALL)

SS

CLERK’S CERTIFICATION

I, Kathleen Miller, do hereby certify that I am the duly elected, and qualified City Clerk in and for the City of Plano, Kendall County, Illinois; that I am the keeper of the files, records, and seal of said City, and that the following is a true and correct copy of Ordinance No. 2023-_____

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adopted and approved by the Mayor and City Council at an official meeting held on March 27, 2023 and that the vote on the motion for adoption was as follows:

	YES	NO	ABSENT	PRESENT
Barbara Nadeau, Ward 1				
Mark Swoboda, Ward 1				
Jamal Williams, Ward 2				
John Fawver, Ward 2				
Stephen DeBolt, Ward 3				
Ben Eaton, Ward 3				
Thomas Johns, Ward 4				
Scott Mulliner, Ward 4				
Michael Rennels (if necessary)				
TOTAL				

I do further certify that the deliberations of the Council on the adoption of said ordinance were conducted openly, that the vote on the adoption of said ordinance was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the City Code of the City of Plano, as amended, and that the Council has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Council.

I further state that this Certification is issued under my hand and the seal of the City of Plano as required in the Illinois Compiled Statutes 65 ILCS 5/1-2-4.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Corporate Seal of said City of Plano, Kendall County, Illinois on the date set forth herein.

Kathleen Miller, City Clerk

(SEAL)