

**Metropolitan Water Reclamation District
of
Greater Chicago**



User Charge Ordinance

As Amended

November 17, 2022

(Amendments effective January 1, 2023)

**METROPOLITAN WATER RECLAMATION DISTRICT
OF GREATER CHICAGO
100 EAST ERIE STREET
CHICAGO, ILLINOIS 60611
(312) 751-5600**

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AN ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE RECOVERY OF EACH USER'S PROPORTIONAL SHARE OF THE OPERATIONS, MAINTENANCE, AND REPLACEMENT COSTS INCURRED BY THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO FOR THE TREATMENT AND DISPOSAL OF SEWAGE, INDUSTRIAL WASTE, AND OTHER WASTES GENERATED BY EACH USER, PURSUANT TO THE REQUIREMENTS OF THE FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS OF 1972 AND THE CLEAN WATER ACT OF 1977 (33 U.S.C. §§ 1251-1387) AND THE RULES AND REGULATIONS OF THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY PROMULGATED PURSUANT THERETO, FOR DISCHARGES OF SEWAGE, INDUSTRIAL WASTES, AND OTHER WASTES MADE TO SEWERS UNDER THE JURISDICTION OF THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO, HEREINAFTER KNOWN AS THE "USER CHARGE ORDINANCE," ADOPTED BY THE BOARD OF COMMISSIONERS, METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO, ON OCTOBER 4, 1979 AND AS AMENDED TO, AND INCLUDING, MARCH 19, 1992, OCTOBER 6, 1994, NOVEMBER 3, 1994, OCTOBER 19, 1995, NOVEMBER 7, 1996, NOVEMBER 6, 1997, JULY 9 AND NOVEMBER 5, 1998, FEBRUARY 4, 1999, OCTOBER 7, 1999, FEBRUARY 17 AND DECEMBER 7, 2000, NOVEMBER 15, 2001, NOVEMBER 7, 2002, NOVEMBER 6, 2003, NOVEMBER 4, 2004, NOVEMBER 3, 2005, OCTOBER 19, 2006, NOVEMBER 1, 2007, NOVEMBER 6, 2008, NOVEMBER 5, 2009, NOVEMBER 4, 2010, DECEMBER 15, 2011, DECEMBER 20, 2012, DECEMBER 5, 2013, SEPTEMBER 18, 2014, SEPTEMBER 17, 2015, SEPTEMBER 15, 2016, SEPTEMBER 14, 2017, SEPTEMBER 6, 2018, NOVEMBER 7, 2019, NOVEMBER 19, 2020, NOVEMBER 18, 2021, AND NOVEMBER 17, 2022.

Section 1. Authority and General Purpose

This Ordinance is promulgated pursuant to the statutory authority contained in 70 ILCS 2605/1, et seq., as amended.

The purpose of this Ordinance is to establish an orderly and fair system whereby the operations, maintenance, and replacement costs incurred by the Metropolitan Water Reclamation District of Greater Chicago in treating and disposing of the sewage, industrial wastes, and other wastes generated by each User is charged to that User for his or her use of the sewage collection and treatment facilities of the Metropolitan Water Reclamation District of Greater Chicago, as required by The Federal Water Pollution Control Act Amendments of 1972 and the Clean Water Act of 1977 (33 U.S.C. §§ 1251-1387) and the rules and regulations of the United States Environmental Protection Agency, promulgated pursuant thereto.

Section 2. Definitions

For the purpose of this Ordinance, the following definitions shall apply unless the context specifically indicates otherwise:

"Agent"

A representative of the User who is a third-party individual or company retained to perform environmental services for the User. Such an Agent is not an Authorized Representative as defined herein, unless said Agent has express written authority to bind the User.

"Authorized Representative"

The User's owner, corporate officer, designated employee, or legal counsel with full binding authority of the User, by virtue of their position, or an individual with express written authority to bind the User.

"Board of Commissioners"

The Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago.

"Biochemical Oxygen Demand (BOD)"

The quantity of dissolved oxygen required for biochemical oxidation of decomposable matter under aerobic conditions in a period of five days at a temperature of 20°C.

"Contaminated Stormwater"

Discharges to the District's sanitary sewers from detention basins or containment facilities, which are designed to collect stormwater contaminated by chemicals from tank farms, or used in the process of deicing airport equipment, or as otherwise permitted or allowed by legal agreement between the User or an Authorized Representative as defined herein, and the District. For purposes of this Ordinance, such wastes are considered industrial wastes as defined herein.

"Director"

The Director of the Monitoring and Research Department of the Metropolitan Water Reclamation District of Greater Chicago.

"District"

The Metropolitan Water Reclamation District of Greater Chicago, a unit of local government, organized and existing under, and by virtue of, the laws of the State of Illinois.

"Domestic Wastes"

Water-carried human wastes from sanitary conveniences such as toilets, wash bowls, bathtubs, and residential laundry facilities.

"Executive Director"

The Executive Director of the Metropolitan Water Reclamation District of Greater Chicago.

"Facility"

Land, buildings, structures and improvements other than buildings, and permanent fixed equipment attached to or incorporated in any such buildings, that are used as part of a single business establishment and located within a single block. Noncontiguous lands, including lands separated from one another by any public right-of-way, are not considered the same Facility unless physically and permanently connected to one another by central utilities.

"Gross User Charge"

The sum of the Total Wastewater Loading Charge as defined in this Ordinance plus the administrative costs recovered through charges applicable to the User as provided in Appendix E of this Ordinance.

"Industrial Wastes"

Any solid, liquid, or gaseous wastes, including cooling water resulting from any industrial, commercial, or manufacturing process, or from the development, recovery, or processing of natural resources.

"Large Commercial-Industrial User"

Any nongovernmental User engaged in commercial or industrial activities which:

- (1) discharges any wastes exceeding any of the following: a flow of 25,000 gallons per day; a BOD loading of 25 pounds per day; or a suspended solids loading of 35 pounds per day, or
- (2) is designated as a Significant Industrial User.

"Local Government User"

Publicly owned facilities used to perform local governmental functions which discharge solely domestic waste. Such functions are limited to administration or legislative activities of a local government, such as police and fire departments, public elementary and public high schools, and municipal office buildings. Publicly owned facilities charging an admission fee, or publicly owned facilities leased to non-public entities are not considered Local Government Users.

"Net User Charge"

The balance owed by a User remaining after deducting the operations, maintenance and replacement portion of the ad valorem taxes paid by that User for the District from the Gross User Charge.