

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The North Shore Sanitary District Act is amended
5 by changing Sections 3, 7, and 28 and by adding Section 30 as
6 follows:

7 (70 ILCS 2305/3) (from Ch. 42, par. 279)

8 Sec. 3. Election of trustees; terms. The corporate
9 authority of the North Shore Sanitary District shall consist of
10 5 trustees.

11 Within 20 days after the adoption of the Act, as provided
12 in Section 1, the county governing body shall proceed to divide
13 the sanitary district into 5 wards for the purpose of electing
14 trustees. One trustee shall be elected for each ward on the
15 date of the next regular county election. In each sanitary
16 district organized pursuant to the provisions of this Act prior
17 to the effective date of this amendatory Act of 1975, one
18 trustee shall be elected for each ward on the date of the
19 regular county election in the year 1976. However, the
20 population in no one ward shall be less than 1/6 of the
21 population of the whole district and the territory in each of
22 the wards shall be composed of contiguous territory in as
23 compact form as practicable. A portion of each ward shall abut

1 the west shore of Lake Michigan and the boundaries of the
2 respective wards shall coincide with precinct boundaries and
3 the boundaries of existing municipalities as nearly as
4 practicable. In the year 1981, and every 10 years thereafter,
5 the sanitary district board of trustees shall reapportion the
6 district, so that the respective wards shall conform as nearly
7 as practicable with the above requirements as to population,
8 shape and territory.

9 ~~The trustees shall hold office respectively for 4 years~~
10 ~~from the first Monday of May after their election and until~~
11 ~~their successors are appointed and qualified, except that the~~
12 ~~term of office of 2 of the trustees first elected shall be for~~
13 ~~2 years. Which of the trustees first elected shall serve a term~~
14 ~~of 2 years shall be determined by lot at their first meeting.~~
15 ~~Notwithstanding the foregoing provisions, all~~

16 All trustees elected from in 1994 through 2011 or
17 thereafter shall assume office on the first Monday in December
18 following the general election instead of the first Monday in
19 May of the following year. All trustees elected in 2012 or
20 thereafter shall assume office on the second Wednesday in
21 December following the general election.

22 In the year 1982, and every 10 years thereafter, following
23 each decennial Federal census, all 5 trustees shall be elected.
24 Immediately following each decennial redistricting, the
25 sanitary district board of trustees shall divide the wards into
26 2 groups, one of which shall consist of 3 wards and the other

1 shall consist of 2 wards. Trustees from one group shall serve
2 terms of 4 years, 4 years and 2 years; and trustees from the
3 other group shall serve terms of 2 years, 4 years and 4 years.

4 Each of the trustees, upon entering the duties of their
5 respective offices, shall execute a bond with security, in the
6 amount and form to be approved by the corporate authorities,
7 payable to the district, in the penal sum of not less than
8 \$10,000.00, as directed by resolution or ordinance,
9 conditioned upon the faithful performance of the duties of the
10 office. Each bond shall be filed with and preserved by the
11 board secretary.

12 When a vacancy exists in the office of trustees of any
13 sanitary district organized under the provisions of this Act,
14 the vacancy shall be filled by appointment by the president of
15 the sanitary district board of trustees, with the advice and
16 consent of the sanitary district board of trustees, until the
17 next regular election at which trustees of the sanitary
18 district are elected, and shall be made a matter of record in
19 the office of the county clerk in the county in which the
20 district is located.

21 A majority of the board of trustees shall constitute a
22 quorum, but a smaller number may adjourn from day to day. No
23 trustee or employee of the district shall be directly or
24 indirectly interested in any contract, work or business of the
25 district, or the sale of any article, the expense, price or
26 consideration of which is paid by the district; nor in the

1 purchase of any real estate or other property belonging to the
2 district, or which shall be sold for taxes or assessments, or
3 by virtue of legal process at the suit of the district. The
4 trustees have the power to provide and adopt a corporate seal
5 for the district.

6 (Source: P.A. 95-607, eff. 9-11-07.)

7 (70 ILCS 2305/7) (from Ch. 42, par. 283)

8 Sec. 7. Powers of the board of trustees. The board of
9 trustees of any sanitary district organized under this Act may
10 provide for the disposal of the sewage thereof and save and
11 preserve the water supplied to the inhabitants of such district
12 from contamination. For that purpose the board may construct
13 and maintain an enclosed conduit or conduits, main pipes,
14 wholly or partially submerged, buried or otherwise, and by
15 means of pumps or otherwise cause such sewage to flow or to be
16 forced through such conduit or conduits, pipe or pipes to and
17 into any ditch or canal constructed and operated by any other
18 sanitary district, after having first acquired the right so to
19 do. Such board may provide for the drainage of such district by
20 laying out, establishing, constructing and maintaining one or
21 more channels, drains, ditches and outlets for carrying off and
22 disposing of the drainage (including the sewage) of such
23 district, together with such adjuncts and additions thereto as
24 may be necessary or proper to cause such channels or outlets to
25 accomplish the end for which they are designed, in a

1 satisfactory manner, including pumps and pumping stations and
2 the operation of the same. Such board shall provide suitable
3 and modernly equipped sewage disposal works or plants for the
4 separation and disposal of all solids and deleterious matter
5 from the liquids, and shall treat and purify the residue of
6 such sewage so that when it flows into any lake, it will not
7 injuriously contaminate the waters thereof. The board shall
8 adopt any feasible method to accomplish the object for which
9 such sanitary district may be created, and may also provide
10 means whereby the sanitary district may reach and procure
11 supplies of water for diluting and flushing purposes. The board
12 of trustees of any sanitary district formed under this Act may
13 also enter into an agreement to sell, convey, or disburse
14 treated wastewater to any public or private entity located
15 within or outside of the boundaries of the sanitary district.
16 Any use of treated wastewater by any public or private entity
17 shall be subject to the orders of the Pollution Control Board.
18 The agreement may not exceed 20 years.

19 Nothing set forth in this Section ~~However, nothing herein~~
20 ~~contained~~ may be construed to empower, authorize or require
21 such board of trustees to operate a system of water works for
22 the purpose of furnishing or delivering water to any such
23 municipality or to the inhabitants thereof without payment
24 therefor at such rates as the board may determine. Nothing in
25 this Act shall require a sanitary district to extend service to
26 any individual residence or other building within the district,

1 and it is the intent of the Illinois General Assembly that any
2 construction contemplated by this Section shall be restricted
3 to construction of works and main or interceptor sewers,
4 conduits, channels and similar facilities, but not individual
5 service lines. Nothing in this Act contained authorizes the
6 trustees to flow the sewage of such district into Lake
7 Michigan. Any such plan for sewage disposal by any sanitary
8 district organized hereunder is prohibited, unless such sewage
9 has been treated and purified as provided in this Section, all
10 laws of the Federal government relating to the pollution of
11 navigable waters have been complied with, the approval of plans
12 and constructions of outlets and connection with any of the
13 streams or navigable bodies of water within or bordering upon
14 the State has been obtained from the Department of Natural
15 Resources of the State. The discharge of any sewage from any
16 such district into any of the streams or navigable bodies of
17 water within or bordering upon the State is subject to the
18 orders of the Pollution Control Board. Nothing in this Act
19 contained may be construed as superseding or in any manner
20 limiting the provisions of the Environmental Protection Act.

21 After the construction of such sewage disposal plant, if
22 the board finds that it will promote the prevention of
23 pollution of waters of the State, such board of trustees may
24 adopt ordinances or rules and regulations, prohibiting or
25 regulating the discharge to sewers of inadmissible wastes or
26 substances toxic to biological wastewater treatment processes.

1 Inadmissible wastes include those which create a fire or
2 explosion hazard in the sewer or treatment works; those which
3 will impair the hydraulic capacity of sewer systems; and those
4 which in any quantity, create a hazard to people, sewer
5 systems, treatment processes, or receiving waters. Substances
6 that may be toxic to wastewater treatment processes include
7 copper, chromium, lead, zinc, arsenic and nickel and any
8 poisonous compounds such as cyanide or radioactive wastes which
9 pass through wastewater treatment plants in hazardous
10 concentrations and menace users of the receiving waters. Such
11 ordinances or rules and regulations shall be effective
12 throughout the sanitary district, in the incorporated areas as
13 well as the unincorporated areas and all public sewers therein.
14 (Source: P.A. 89-445, eff. 2-7-96.)

15 (70 ILCS 2305/28) (from Ch. 42, par. 296.8)

16 Sec. 28. Annexation of contiguous territory. The board of
17 trustees of any sanitary district may annex any territory which
18 is not within the corporate limits of the sanitary district,
19 provided:

20 (a) The territory is contiguous to the annexing
21 sanitary district; and

22 (b) The territory is served by the sanitary district or
23 by a municipality with sanitary sewers that are connected
24 and served by the sanitary district.

25 The annexation shall be accomplished only by ordinance and

1 the ordinance shall include a description of the annexed
2 territory. A copy of the ordinance and a map of the annexed
3 territory certified as true and accurate by the clerk of the
4 annexing sanitary district shall be filed with the county clerk
5 of the county in which the annexed territory is located. The
6 new boundary shall extend to the far side of any adjacent
7 highway and shall include all of every highway within the area
8 annexed. These highways shall be considered to be annexed even
9 though not included in the legal description set forth in the
10 annexation ordinance.

11 The territory to be annexed to the sanitary district shall
12 be considered to be contiguous to the sanitary district
13 notwithstanding that the territory to be annexed is divided by,
14 or that the territory to be annexed is separated from the
15 sanitary district by, one or more railroad rights-of-ways,
16 public easements, or properties owned by a public utility, a
17 forest preserve district, a public agency, or a not-for-profit
18 corporation.

19 (Source: P.A. 86-1191.)

20 (70 ILCS 2305/30 new)

21 Sec. 30. Claims for compensation. No claim for compensation
22 shall be made or action for damages filed against a sanitary
23 district formed under this Act on account of any damage to
24 property occurring on or after January 1, 2012, unless notice
25 in writing is filed with the secretary of the sanitary

1 district's board of trustees within 6 months after the
2 occurrence of the damage setting forth the following
3 information: (i) the name and residence address of the owner of
4 the property damaged, (ii) the property's location, and (iii)
5 the probable extent of the damage sustained.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.