

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, 4, 7, 7.1, 9, 11, and 20 as follows:

6 (70 ILCS 2305/3) (from Ch. 42, par. 279)

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

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

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

8            All trustees elected from 1994 through 2011 shall assume  
9        office on the first Monday in December following the general  
10       election. All trustees elected in 2012 or thereafter shall  
11       assume office on the second Wednesday in December following the  
12       general election.

13           In the year 1982, and every 10 years thereafter, following  
14       each decennial Federal census, all 5 trustees shall be elected.  
15       Immediately following each decennial redistricting, the  
16       sanitary district board of trustees shall be randomly divided  
17       ~~divide the wards~~ into 2 groups, one of which shall consist of 3  
18       wards and the other shall consist of 2 wards. A random process  
19       shall again be used to determine which trustees ~~Trustees~~ from  
20       one group shall serve terms of 4 years, 4 years and 2 years;  
21       and which trustees from the other group shall serve terms of 2  
22       years, 4 years and 4 years.

23           Each of the trustees, upon entering the duties of their  
24       respective offices, shall execute a bond with security, in the  
25       amount and form to be approved by the corporate authorities,  
26       payable to the district, in the penal sum of not less than

1 \$250,000.00, ~~\$10,000.00,~~ as directed by resolution or  
2 ordinance, conditioned upon the faithful performance of the  
3 duties of the office. Each bond shall be filed with and  
4 preserved by the board secretary.

5 When a vacancy exists in the office of trustees of any  
6 sanitary district organized under the provisions of this Act,  
7 the vacancy shall be filled by appointment by the president of  
8 the sanitary district board of trustees, with the advice and  
9 consent of the sanitary district board of trustees, until the  
10 next regular election at which trustees of the sanitary  
11 district are elected, and shall be made a matter of record in  
12 the office of the county clerk in the county in which the  
13 district is located.

14 A majority of the board of trustees shall constitute a  
15 quorum, but a smaller number may adjourn from day to day. No  
16 trustee or employee of the district shall be directly or  
17 indirectly interested in any contract, work or business of the  
18 district, or the sale of any article, the expense, price or  
19 consideration of which is paid by the district; nor in the  
20 purchase of any real estate or other property belonging to the  
21 district, or which shall be sold for taxes or assessments, or  
22 by virtue of legal process at the suit of the district. The  
23 trustees have the power to provide and adopt a corporate seal  
24 for the district.

25 (Source: P.A. 97-500, eff. 8-23-11.)

1 (70 ILCS 2305/4) (from Ch. 42, par. 280)

2 Sec. 4. Board of trustees; powers; compensation. The  
3 trustees shall constitute a board of trustees for the district.  
4 The board of trustees is the corporate authority of the  
5 district, and shall exercise all the powers and manage and  
6 control all the affairs and property of the district. The board  
7 shall elect a president and vice-president from among their own  
8 number. In case of the death, resignation, absence from the  
9 state, or other disability of the president, the powers, duties  
10 and emoluments of the office of the president shall devolve  
11 upon the vice-president, until the disability is removed or  
12 until a successor to the president is appointed and chosen in  
13 the manner provided in this Act. The board may select a  
14 secretary, treasurer, executive director, ~~chief engineer,~~  
15 ~~superintendent~~ and attorney, and may provide by ordinance for  
16 the employment of ~~such clerks and~~ other employees as the board  
17 may deem necessary for the municipality. The board may appoint  
18 such other officers and hire such employees to manage and  
19 control the operations of the district as it deems necessary;  
20 provided, however, that the board shall not employ an  
21 individual as a wastewater operator whose Certificate of  
22 Technical Competency is suspended or revoked under rules  
23 adopted by the Pollution Control Board under item (4) of  
24 subsection (a) of Section 13 of the Environmental Protection  
25 Act. All employees selected by the board shall hold their  
26 respective offices during the pleasure of the board, and give

1 such bond as may be required by the board. The board may  
2 prescribe the duties and fix the compensation of all the  
3 officers and employees of the sanitary district. However, the  
4 president of the board of trustees shall not receive more than  
5 \$10,000 per year and the other members of the board shall not  
6 receive more than \$7,000 per year. However, beginning with the  
7 commencement of the new term of each board member in 1993, the  
8 president shall not receive more than \$11,000 per year and each  
9 other member of the board shall not receive more than \$8,000  
10 per year. Beginning with the commencement of the first new term  
11 after the effective date of this amendatory Act of the 95th  
12 General Assembly, the president of the board shall not receive  
13 more than \$14,000 per year, and each other member of the board  
14 shall not receive more than \$11,000 per year. The board of  
15 trustees has full power to pass all necessary ordinances, rules  
16 and regulations for the proper management and conduct of the  
17 business of the board and of the corporation, and for carrying  
18 into effect the objects for which the sanitary district was  
19 formed. The ordinances may provide for a fine for each offense  
20 of not less than \$100 or more than \$1,000. Each day's  
21 continuance of a violation shall be a separate offense. Fines  
22 under this Section are recoverable by the sanitary district in  
23 a civil action. The sanitary district is authorized to apply to  
24 the circuit court for injunctive relief or mandamus when, in  
25 the opinion of the chief administrative officer, the relief is  
26 necessary to protect the sewerage system of the sanitary

1 district.

2 The board of trustees shall have the authority to change  
3 the name of the District, by ordinance, to the North Shore  
4 Water Reclamation District. If an ordinance is passed pursuant  
5 to this paragraph, all provisions of this Act shall apply to  
6 the newly renamed district.

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

8 (70 ILCS 2305/7) (from Ch. 42, par. 283)

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

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

21 Nothing set forth in this Section may be construed to  
22 empower, authorize or require such board of trustees to operate  
23 a system of water works for the purpose of furnishing or  
24 delivering water to any such municipality or to the inhabitants  
25 thereof without payment therefor at such rates as the board may  
26 determine. Nothing in this Act shall require a sanitary

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

23 After the construction of such sewage disposal plant, if  
24 the board finds that it will promote the prevention of  
25 pollution of waters of the State, such board of trustees may  
26 adopt ordinances or rules and regulations, prohibiting or



1 regulating the discharge to sewers of inadmissible wastes or  
2 substances toxic to biological wastewater treatment processes.  
3 Inadmissible wastes include those which create a fire or  
4 explosion hazard in the sewer or treatment works; those which  
5 will impair the hydraulic capacity of sewer systems; and those  
6 which in any quantity, create a hazard to people, sewer  
7 systems, treatment processes, or receiving waters. Substances  
8 that may be toxic to wastewater treatment processes include  
9 copper, chromium, lead, zinc, arsenic and nickel and any  
10 poisonous compounds such as cyanide or radioactive wastes which  
11 pass through wastewater treatment plants in hazardous  
12 concentrations and menace users of the receiving waters. Such  
13 ordinances or rules and regulations shall be effective  
14 throughout the sanitary district, in the incorporated areas as  
15 well as the unincorporated areas and all public sewers therein.  
16 (Source: P.A. 97-500, eff. 8-23-11.)

17 (70 ILCS 2305/7.1) (from Ch. 42, par. 283.1)

18 Sec. 7.1. In providing works for the treatment ~~disposal~~ of  
19 industrial sewage, commonly called industrial wastes, whether  
20 the industrial sewage is disposed of in combination with  
21 municipal sewage or independently, the sanitary district has  
22 power to apportion and collect therefore, from the producer  
23 thereof, fair additional construction, maintenance and  
24 operating costs over and above those covered by normal taxes,  
25 and in case of dispute as to the fairness of such additional

1 construction, maintenance and operating costs, then the same  
2 shall be determined by an arbitration board of 3 engineers, one  
3 appointed by the sanitary district, one appointed by such  
4 producer or producers or their legal representatives, and the  
5 third to be appointed by the 2 engineers selected as above  
6 described. In the event the 2 engineers so selected fail to  
7 agree upon a third engineer then upon the petition of either of  
8 the parties the circuit judge shall appoint such third  
9 engineer. A decision of a majority of the arbitration board  
10 shall be binding on both parties and the cost of the services  
11 of the arbitration board shall be shared by both parties  
12 equally. Such decision is an administrative decision and is  
13 subject to judicial review as provided in the Administrative  
14 Review Law.

15 In providing works, including the main pipes referred to in  
16 Section 7, for the treatment disposal of raw sewage, in the  
17 manner provided in this Act, whether such sewage is treated  
18 ~~disposed of~~ in combination with municipal sewage or  
19 independently, the sanitary district has power to collect a  
20 fair and reasonable charge for connection to its system in  
21 addition to those charges covered by normal taxes, for the  
22 construction, expansion and extension of the works of the  
23 system, the charge to be assessed against new or additional  
24 users of the system and to be known as a connection charge.  
25 Such construction, expansion and extension of the works of the  
26 system shall include proposed or existing collector systems and

1 may, at the discretion of such district, include connections by  
2 individual properties. The charge for connection shall be  
3 determined by the district and may equal or exceed the actual  
4 cost to the district of the construction, expansion or  
5 extension of the works of the system required by the  
6 connection. The funds thus collected shall be used by the  
7 sanitary district for its general corporate purposes with  
8 primary application thereof being made by the necessary  
9 expansion of the works of the system to meet the requirements  
10 of the new users thereof.

11 (Source: P.A. 85-480; 85-782.)

12 (70 ILCS 2305/9) (from Ch. 42, par. 285)

13 Sec. 9. The corporation may borrow money for corporate  
14 purposes and may issue bonds therefor, but shall not become  
15 indebted, in any manner, or for any purpose, to an amount in  
16 the aggregate to exceed 4.50% ~~5.75%~~ on the valuation of taxable  
17 property therein, to be ascertained by the last assessment for  
18 state and county taxes previous to the incurring of such  
19 indebtedness or, until January 1, 1983, if greater, the sum  
20 that is produced by multiplying the district's 1978 equalized  
21 assessed valuation by the debt limitation percentage in effect  
22 on January 1, 1979. Whenever the board of trustees of such  
23 district desires to issue bonds hereunder they shall certify  
24 the question to the proper election officials who shall submit  
25 the question at an election to be held in such district in



1 corporation may borrow to abate such sewage discharge shall be  
2 limited to that required for that purpose plus such reasonable  
3 future expansion as shall be approved by the court or an  
4 administrative agency of the State of Illinois having  
5 jurisdiction. The ordinance providing for such bonds shall set  
6 out the fact that such bonds are deemed necessary to make  
7 possible compliance with the order, and shall be published or  
8 posted in the manner provided in this Act for publication or  
9 posting of ordinances making appropriations. The ordinance  
10 shall be in full force and effect after its adoption and  
11 publication or posting, as herein provided, notwithstanding  
12 any provision in this Act or any other law to the contrary.

13 (Source: P.A. 81-1489.)

14 (70 ILCS 2305/11) (from Ch. 42, par. 287)

15 Sec. 11. Except as otherwise provided in this Section, all  
16 contracts for purchases or sales by the municipality, the  
17 expense of which will exceed the mandatory competitive bid  
18 threshold, shall be let to the lowest responsible bidder  
19 therefor upon not less than 14 days' public notice of the terms  
20 and conditions upon which the contract is to be let, having  
21 been given by publication in a newspaper of general circulation  
22 published in the district, and the board may reject any and all  
23 bids and readvertise. In determining the lowest responsible  
24 bidder, the board shall take into consideration the qualities  
25 and serviceability of the articles supplied, their conformity

1 with specifications, their suitability to the requirements of  
2 the district, the availability of support services, the  
3 uniqueness of the service, materials, equipment, or supplies as  
4 it applies to network integrated computer systems, the  
5 compatibility of the service, materials, equipment or supplies  
6 with existing equipment, and the delivery terms. Contracts for  
7 services in excess of the mandatory competitive bid threshold  
8 may, subject to the provisions of this Section, be let by  
9 competitive bidding at the discretion of the district board of  
10 trustees. All contracts for purchases or sales that will not  
11 exceed the mandatory competitive bid threshold may be made in  
12 the open market without publication in a newspaper as above  
13 provided, but whenever practical shall be based on at least 3  
14 competitive bids. For purposes of this Section, the "mandatory  
15 competitive bid threshold" is a dollar amount equal to 0.1% of  
16 the total general fixed assets of the district as reported in  
17 the most recent required audit report. In no event, however,  
18 shall the mandatory competitive bid threshold dollar amount be  
19 less than \$10,000, nor more than \$40,000.

20 Cash, a cashier's check, a certified check, or a bid bond  
21 with adequate surety approved by the board of trustees as a  
22 deposit of good faith, in a reasonable amount, but not in  
23 excess of 10% of the contract amount, may be required of each  
24 bidder by the district on all bids involving amounts in excess  
25 of the mandatory competitive bid threshold and, if so required,  
26 the advertisement for bids shall so specify.

1           Contracts which by their nature are not adapted to award by  
2 competitive bidding, including, without limitation, contracts  
3 for the services of individuals, groups or firms possessing a  
4 high degree of professional skill where the ability or fitness  
5 of the individual or organization plays an important part,  
6 contracts for financial management services undertaken  
7 pursuant to "An Act relating to certain investments of public  
8 funds by public agencies", approved July 23, 1943, as now or  
9 hereafter amended, contracts for the purchase or sale of  
10 utilities, contracts for commodities including supply  
11 contracts for natural gas and electricity, contracts for  
12 materials economically procurable only from a single source of  
13 supply, contracts for services, supplies, materials, parts, or  
14 equipment which are available only from a single source or  
15 contracts for maintenance, repairs, OEM supplies, or OEM parts  
16 from the manufacturer or from a source authorized by the  
17 manufacturer, contracts for the use, purchase, delivery,  
18 movement, or installation of data processing equipment,  
19 software, or services and telecommunications and interconnect  
20 equipment, software, or services, contracts for duplicating  
21 machines and supplies, contracts for goods or services procured  
22 from another governmental agency, purchases of equipment  
23 previously owned by an entity other than the district itself,  
24 purchases of used equipment, purchases at auction or similar  
25 transactions which by their very nature are not suitable to  
26 competitive bids, and leases of real property where the

1 sanitary district is the lessee shall not be subject to the  
2 competitive bidding requirements of this Section.

3 The District may use a design-build procurement method for  
4 any public project which shall not be subject to the  
5 competitive bidding requirements of this Section provided the  
6 Board of Trustees approves the contract for the public project  
7 by a vote of 4 of the 5 trustees. For the purposes of this  
8 Section, "design-build" means a delivery system that provides  
9 responsibility within a single contract for the furnishing of  
10 architecture, engineering, land surveying and related services  
11 as required, and the labor, materials, equipment, and other  
12 construction services for the project.

13 In the case of an emergency affecting the public health or  
14 safety so declared by the Board of Trustees of the municipality  
15 at a meeting thereof duly convened, which declaration shall  
16 require the affirmative vote of four of the five Trustees  
17 ~~elected~~, and shall set forth the nature of the danger to the  
18 public health or safety, contracts totaling not more than the  
19 emergency contract cap may be let to the extent necessary to  
20 resolve such emergency without public advertisement or  
21 competitive bidding. For purposes of this Section, the dollar  
22 amount of an emergency contract shall not ~~"emergency contract~~  
23 ~~cap" is a dollar amount equal to 0.4% of the total general~~  
24 ~~fixed assets of the district as reported in the most recent~~  
25 ~~required audit report. In no event, however, shall the~~  
26 ~~emergency contract cap dollar amount~~ be less than \$40,000, nor



1 more than \$350,000 ~~\$250,000~~. The Resolution or Ordinance in  
2 which such declaration is embodied shall fix the date upon  
3 which such emergency shall terminate which date may be extended  
4 or abridged by the Board of Trustees as in their judgment the  
5 circumstances require. A full written account of any such  
6 emergency, together with a requisition for the materials,  
7 supplies, labor or equipment required therefor shall be  
8 submitted immediately upon completion and shall be open to  
9 public inspection for a period of at least one year subsequent  
10 to the date of such emergency purchase. Within 30 days after  
11 the passage of the resolution or ordinance declaring an  
12 emergency affecting the public health or safety, the  
13 municipality shall submit to the Illinois Environmental  
14 Protection Agency the full written account of any such  
15 emergency along with a copy of the resolution or ordinance  
16 declaring the emergency, in accordance with requirements as may  
17 be provided by rule.

18 To address operating emergencies not affecting the public  
19 health or safety, the Board of Trustees shall authorize, in  
20 writing, officials or employees of the sanitary district to  
21 purchase in the open market and without advertisement any  
22 supplies, materials, equipment, or services for immediate  
23 delivery to meet the bona fide operating emergency, without  
24 filing a requisition or estimate therefor, in an amount not in  
25 excess of \$100,000; provided that the Board of Trustees must be  
26 notified of the operating emergency. A full, written account of

1 each operating emergency and a requisition for the materials,  
2 supplies, equipment, and services required to meet the  
3 operating emergency must be immediately submitted by the  
4 officials or employees authorized to make purchases to the  
5 Board of Trustees. The account must be available for public  
6 inspection for a period of at least one year after the date of  
7 the operating emergency purchase. The exercise of authority  
8 with respect to purchases for a bona fide operating emergency  
9 is not dependent on a declaration of an operating emergency by  
10 the Board of Trustees.

11 The competitive bidding requirements of this Section do not  
12 apply to contracts, including contracts for both materials and  
13 services incidental thereto, for the repair or replacement of a  
14 sanitary district's treatment plant, sewers, equipment, or  
15 facilities damaged or destroyed as the result of a sudden or  
16 unexpected occurrence, including, but not limited to, a flood,  
17 fire, tornado, earthquake, storm, or other natural or man-made  
18 disaster, if the board of trustees determines in writing that  
19 the awarding of those contracts without competitive bidding is  
20 reasonably necessary for the sanitary district to maintain  
21 compliance with a permit issued under the National Pollution  
22 Discharge Elimination System (NPDES) or any successor system or  
23 with any outstanding order relating to that compliance issued  
24 by the United States Environmental Protection Agency, the  
25 Illinois Environmental Protection Agency, or the Illinois  
26 Pollution Control Board. The authority to issue contracts

1 without competitive bidding pursuant to this paragraph expires  
2 6 months after the date of the writing determining that the  
3 awarding of contracts without competitive bidding is  
4 reasonably necessary.

5 No Trustee shall be interested, directly or indirectly, in  
6 any contract, work or business of the municipality, or in the  
7 sale of any article, whenever the expense, price or  
8 consideration of the contract work, business or sale is paid  
9 either from the treasury or by any assessment levied by any  
10 Statute or Ordinance. No Trustee shall be interested, directly  
11 or indirectly, in the purchase of any property which (1)  
12 belongs to the municipality, or (2) is sold for taxes or  
13 assessments of the municipality, or (3) is sold by virtue of  
14 legal process in the suit of the municipality.

15 A contract for any work or other public improvement, to be  
16 paid for in whole or in part by special assessment or special  
17 taxation, shall be entered into and the performance thereof  
18 controlled by the provisions of Division 2 of Article 9 of the  
19 "Illinois Municipal Code", approved May 29, 1961, as heretofore  
20 or hereafter amended, as near as may be. However, contracts may  
21 be let for making proper and suitable connections between the  
22 mains and outlets of the respective sanitary sewers in the  
23 district with any conduit, conduits, main pipe or pipes that  
24 may be constructed by such sanitary district.

25 (Source: P.A. 95-607, eff. 9-11-07; 96-49, eff. 1-1-10.)

1 (70 ILCS 2305/20) (from Ch. 42, par. 296)

2 Sec. 20. (a) The board of trustees of any such sanitary  
3 district shall have power and authority to prevent the  
4 pollution of any waters from which a water supply may be  
5 obtained by any city, town or village within said district, and  
6 shall have the right and power to appoint and support a  
7 sufficient police force, the members of which may have and  
8 exercise police powers over the territory within such drainage  
9 district, and over the waters from which said water supply may  
10 be obtained, for a distance of three miles from the shore  
11 thereof, for the purpose of preventing the pollution of said  
12 waters, and any interference with any of the property of such  
13 drainage district; but such police officers when acting within  
14 the limits of any such city, town or village, shall act in aid  
15 of the regular police force thereof, and shall then be subject  
16 to the direction of its chief of police, city or village  
17 marshals or other head thereof: Provided, that in so doing they  
18 shall not be prevented or hindered from executing the orders  
19 and authority of said board of trustees of such drainage  
20 district: Provided, further, that before compelling a change in  
21 any method of disposal of sewage so as to prevent the said  
22 pollution of any water, the board of trustees of such district  
23 shall first provide some other method of sewage treatment  
24 ~~disposal~~.

25 (b) The board of trustees of any sanitary district  
26 organized under this Act is authorized to apply to the circuit

1 court for injunctive relief or mandamus when, in the opinion of  
2 the board of trustees, such relief is necessary to prevent the  
3 pollution of any waters from which a water supply may be  
4 obtained by any municipality within the district.

5 (c) The sanitary district shall have the power and  
6 authority to prevent the pollution of any waters from which a  
7 water supply may be obtained by any city, town or village. The  
8 sanitary district, acting through the chief administrative  
9 officer of such sanitary district, shall have the power to  
10 commence an action or proceeding in the circuit court in and  
11 for the county in which the district is located for the purpose  
12 of having the pollution stopped and prevented either by  
13 mandamus or injunction. The court shall specify a time, not  
14 exceeding 20 days after the service of the copy of the  
15 petition, in which the party complained of must answer the  
16 petition, and in the meantime, the party be restrained. In case  
17 of default in answer or after answer, the court shall  
18 immediately inquire into the facts and circumstances of the  
19 case and enter an appropriate order in respect to the matters  
20 complained of. An appeal may be taken in the same manner and  
21 with the same effect as appeals are taken in other actions for  
22 mandamus or injunction.

23 (Source: P.A. 85-1136.)

24 Section 99. Effective date. This Act takes effect upon  
25 becoming law.