

Item #3:
Ordinance Amending Code
Modifying Sanitary Sewer Connection Requirements

VILLAGE OF LONG GROVE

ORDINANCE NO. 2012-__

**AN ORDINANCE AMENDING SECTION 8-3-2 OF THE VILLAGE CODE
REGARDING SANITARY SEWER SYSTEM CONNECTIONS**

Adopted by the
President and Board of Trustees
of
the Village of Long Grove
this 13th day of November, 2012

Published in pamphlet form by direction
and authority of the Village of Long Grove,
Lake County, Illinois
this 14th day of November, 2012

VILLAGE OF LONG GROVE

ORDINANCE NO. 2012-__

**AN ORDINANCE AMENDING SECTION 8-3-2 OF THE VILLAGE CODE
REGARDING SANITARY SEWER SYSTEM CONNECTIONS**

WHEREAS, the Village of Long Grove (the "*Village*") has adopted comprehensive health and sanitation regulations in Title 8 of the Long Grove Village Code (the "*Village Code*"); and

WHEREAS, the Village Code establishes connection requirements for sanitary sewer systems that require applicants to demonstrate that connection to a sanitary sewer, rather than a private septic system, is necessary to protect health and welfare or if use of a private septic system is otherwise not feasible; and

WHEREAS, the President and Board of Trustees have determined that it is no longer necessary to require applicants to demonstrate such hardships to obtain approval for a sanitary sewer connection; and

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village and its residents to amend the Village Code with respect to sanitary sewer connections as hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LONG GROVE, COUNTY OF LAKE, STATE OF ILLINOIS, as follows:

SECTION ONE: Recitals. The foregoing recitals are by this reference incorporated into and made a part of this Ordinance as if fully set forth.

SECTION TWO: Amendment to Section 8-3-2 of the Village Code. Section 2, entitled "Sanitary Sewer Used Only When Necessary," of Chapter 3, entitled "Sanitary Sewers," of Title 8, entitled "Health and Sanitation," is hereby amended as follows:

8-3-2: CONNECTION TO SANITARY SEWER USED ONLY WHEN NECESSARY: 

~~(A) Individual Sewage Disposal System Preferred: Individual sewage disposal systems (septic field systems) are preferred for all residential uses. Sanitary sewers should only be utilized when they are necessary from a health and welfare standpoint, as reflected in the village's comprehensive plan and subject to the standards set forth in subsection (B) of this section. In addition, community cluster on-site wastewater systems should also be considered in lieu of a sanitary sewer system where practicable.~~

~~(B)~~(A) Standards And Conditions For Sanitary Sewer Connections: No lot in the village shall connect to any sanitary sewer system unless and until the village board has approved such connection, in its sole discretion. In addition, no such connection shall be approved unless the applicant complies with each of the following standards and conditions:

1. Application: The applicant shall submit in writing to the village his or her request for approval of connection to a sanitary sewer system. The request shall include, at a minimum, the following information and submittals:

~~(a) A narrative that addresses the following: 1) the reasons for the applicant's request for village approval of the proposed sanitary sewer connection; 2) that the request meets the standards contained in subsection (B)2 of this section; and 3) the ecological advantages of utilization of the sanitary sewer system.~~

~~(b)~~(a) Plans for the proposed sanitary sewer connection.

~~(c)~~(b) Plans for the protection of existing vegetation on the lot.

~~(d)~~(c) An escrow deposit to reimburse the village for all expenses incurred in processing the applicant's request, including, without limitation, village legal and engineering consultant expenses. The amount of the escrow deposit shall be determined by the village manager.

~~(e)~~(d) A survey of the area surrounding the lot for which application for sanitary sewer connection has been submitted for a determination by the village as to the general need for sewer services in that area.

~~2. Standards: No application for connection to a sanitary sewer system shall be approved by the village board unless the applicant has demonstrated to the village board's satisfaction that such connection is necessary for the public health and welfare. Evidence that the connection is intended for the applicant's convenience, to increase the value of property, or to increase the zoning density of the lot inconsistent with the village's zoning regulations or the village's comprehensive plan shall not be considered as proper evidence under this subsection (B)2. In addition, the following specific standards shall apply:~~

~~(a) Commercial Uses: For new commercial uses on lots zoned for the proposed commercial use and designated on the~~

~~comprehensive plan for such commercial use, sanitary sewer connections may be permitted if the applicant can demonstrate that the proposed use cannot be reasonably served by an individual sewage disposal system. For existing commercial uses, a connection may be permitted if the applicant demonstrates that there is no reasonably practical alternative, such as a complete failure of the individual sewage disposal system where replacement of the system is impossible or not reasonably practical.~~

~~(b) Residential Uses: Sanitary sewer connections for residential uses shall only be permitted in the following two (2) circumstances: 1) where there is no other reasonably practical alternative, such as a complete failure of the individual sewage disposal system where replacement of the system is impossible or not reasonably practical or 2) if the applicant demonstrates to the satisfaction of the village board that a connection would yield significant ecological benefits and all other practical options have been explored and determined by the village board to be nonviable. If a particular geographic area generally qualifies under the first circumstance above, a special service area or special assessment may be established to provide a vehicle to fund the sewer infrastructure and sewer connections. In those cases where the village board finds that the second circumstance is met, the applicant may be required to grant appropriate easements to safeguard and preserve the ecological benefits on the lot.~~

3-2. Conditions To Connection: If the village board approves the request for a sanitary sewer connection, the following conditions shall apply:

(a) Sanitary Sewer System Of Other Governmental Entity: Each proposed connection to a sanitary sewer system operated in whole or in part by another governmental entity shall be consistent with the terms and conditions contained in any intergovernmental agreement between the village and such governmental entity, including, without limitation, Lake County and the village of Kildeer. In addition, all requirements of connection to such system shall be satisfied.

(b) Connection Fee: Prior to the connection of any lot to a sanitary sewer system, the applicant shall pay a connection fee to the village in the amount determined by the village engineer and approved by the village board.

(c) Fees And Costs: The applicant shall be responsible for paying all fees and costs related to the sanitary sewer connection, including, without limitation, any connection fees or costs imposed by another governmental body. In addition, prior to the connection of any lot to a sanitary sewer system, the applicant shall reimburse the village for all of its expenses incurred in processing the applicant's request, including, without limitation, village legal and engineering consultant expenses.

~~(d) Easement: In the event that the village board finds that a particular geographic area will generally qualify for sanitary sewer service, t~~The

village board may condition connection on the granting of appropriate easements to permit the further extension of utilities.

(e) Declaration Of Covenants: Prior to the connection of any lot to a sanitary sewer system, the applicant shall execute and deliver to the village for recordation a declaration of covenants running with the land, in a form approved by the village attorney, that prohibits any development, subdivision, or use of the lot that is not consistent with the village's zoning and subdivision regulations applicable to the lot at the time of connection.

4-3. Existing Individual Sewage Disposal System: Any individual sewage disposal system shall be abandoned and disposed of as required by the village engineer. If the village engineer finds that an existing individual sewage disposal system poses a serious health concern, the village engineer may require the applicant to abandon and dispose of the individual sewage disposal system prior to being issued a permit for a proposed sanitary sewer connection.

SECTION THREE: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, posting, and publication in pamphlet form in the manner provided by law.

PASSED this 13th day of November, 2012.

AYES: ()
NAYS: ()
ABSENT: ()

APPROVED this 13th day of November, 2012.

Village President
Maria Rodriguez

ATTEST:

Village Clerk
Karen Schultheis