

63-R-22
A RESOLUTION

**Recognizing the Public Benefit of the City Paying
Private Sewer Repair Line Costs
in Excess of \$15,000 Per Repair For A Residential Property**

WHEREAS, the City of Evanston owns and operates a combined sewer system for the benefit of all residents that transmits and treats sewerage as a means of protecting public health (“City System”); and

WHEREAS, residential dwellings are required to connect to the City System and no septic treatment fields are permitted in the City; and

WHEREAS, the owner of the residential property is responsible for maintaining the residential building sewer line that connects the dwelling to the City System (commonly referred to as the “Private Lateral”); and

WHEREAS, sewer repairs to the Private Lateral are usually unexpected and can be costly; and

WHEREAS, the cost of such repairs may cause an owner to delay or forego undertaking the required repairs thereby creating a public nuisance, hazardous condition and threat to the environment; and

WHEREAS, to abate the nuisance and protect the environment, the City is willing, in certain defined circumstances, to pay those costs in excess of \$15,000 that are necessary to repair a Private Lateral in order to abate the nuisance and mitigate further harm to the environment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The foregoing recitals are hereby found as fact and incorporated herein by reference.

SECTION 2: The City will provide financial assistance for the costs of repairing a Private Lateral that are in excess of \$15,000 to the owner of a single family residential property, or duplex residential property when:

- 1) A Private Lateral Repair is needed to alleviate a current public nuisance, hazardous condition and threat to the environment as determined by the Director of Public Works Director or their designee;

and

- 2) The location of such needed Private Lateral Repair is located within the City's Right-Of-Way and the property owner obtains the necessary Right-Of-Way and Plumbing permits;

and

- 3) The property owner demonstrates that the gross Household Income for each property that benefits from the Private Lateral Repair does not exceed \$200,000;

SECTION 3: The City will provide financial assistance for the costs of repairing a Private Lateral that are in excess of \$5,000 to the owner of a single family residential property, or duplex residential property when:

- 1) A Private Lateral Repair is needed to alleviate a current public nuisance, hazardous condition and threat to the environment as determined by the Director of Public Works Director or their designee;

and

- 2) The location of such needed Private Lateral Repair is located within the City's Right-Of-Way and the property owner obtains the necessary Right-Of-Way and Plumbing permits;

and

The property owner demonstrates that the gross Household Income for each property that benefits from the Private Lateral Repair does not exceed \$100,000;

SECTION 4: The repair values set forth in Section 2 and Section 3 at the time of passage in 2022 shall be adjusted each January based on the Engineering News Record construction cost index. The gross Household Income maximum set forth in Section 2 and Section 3 at the time of passage shall be adjusted each January based on the change in the Consumer Price Index, Chicago-Naperville-Elgin area.

SECTION 4: The financial assistance set forth herein will be provided retroactively to the Owner for each property that met all of the conditions set forth in Section 2 and Section 3 provided that the property owner paid for and completed the Private Lateral Repair on or after January 1, 2021.

SECTION 5: This resolution will be in full force and effect from and after the date of its passage and approval in the manner provided by law.

Daniel Biss
Daniel Biss, Mayor

Attest:

Stephanie Mendoza
Stephanie Mendoza, City Clerk

Approved as to form:

Nicholas E. Cummings
Nicholas E. Cummings, Corporation Counsel

Adopted: Novemeber 14, 2022