

VILLAGE OF LA GRANGE
Administration Department

BOARD REPORT

TO: Village President, Village Clerk
Board of Trustees, and Village Attorney

FROM: Andrianna Peterson, Village Manager
Charity Jones, Community Development Director
Lou Cipparrone, Finance Director

DATE: April 25, 2022

RE: **RESOLUTION – APPROVING A SEWER BACKUP PREVENTION
PROGRAM POLICY**

**ORDINANCE – AMENDING CHAPTER 51.82 OF THE LA
GRANGE CODE OF ORDINANCES TO CHANGE THE SEWER
USAGE FEES**

As part of the Village’s ongoing evaluation of stormwater management projects and programs, the Village Board asked the Environmental Quality Commission (EQC) to study and consider a potential residential flood rebate / cost share program.

The EQC considered the matter at three meetings starting in November, 2021.

A general overview of the program recommendations are as follows:

- **Program Funding** – \$50,000 per year, paid through an increase in the sewer rate. The program would provide 50% reimbursement of eligible expenses, subject to a maximum reimbursement of \$3,000 for a backflow check valve and a maximum of \$5,000 for the installation of an overhead sewer. Each property is eligible for a one-time grant capped at \$5,000. The program will operate on a first come, first served basis based on a complete application. As the Village has done for many years, it is recommended that the permit fees for the program continue to be waived.
- **Eligible Improvements** – Backflow check valves and overhead sewers
- **Property Eligibility** – Single and two family dwellings in the Village, excluding homes served by the South Lyons Sanitary District. Homes in that area (approximately 366) are served by a separated sewer system and do not pay sewer fees to the Village. Work previously performed before the adoption of the program would not be eligible for reimbursement.

- Ownership Eligibility – Existing owner occupied dwellings and rentals are eligible, but if rented, the landlord must apply for the reimbursement. New home construction is not eligible.
- Property Owner Compliance / Building Permits – The EQC recommended that because taxpayer dollars are used to fund the program, properties with outstanding code violations or where related work was performed without a permit, should not be eligible for the program until the violations are corrected and all fines paid.
- General Program Parameters – Required documentation such as bid estimates, contractor invoices, proof of payment, waiver that all costs have been paid in full, and a W-9 form. Further provisions include use of a licensed plumber, acknowledgement that the homeowner will maintain the system, language that the Village is not responsible for future costs of repairs, and successful completion of all required inspections.
- Disconnection Requirement – property owners must remove any stormwater connections from the combined sewer system (downspouts and sump pump) in order to be eligible for the program.

The Village Board discussed potential program funding at the Capital Projects Workshop in February and also the Budget Workshop in March. As a result of those conversations, the FY 2022-23 Budget includes a proposed increase to the sewer rate from \$1.73 per cubic yard to \$1.83 per cubic yard, or approximately \$10 per year to an average residential household. If approved, the sewer rate increase would go into effect on May 5, 2022.

The details of the program, including program eligibility, funding levels, and application procedures are provided through the attached policy document, and can be amended from time to time.

Assuming that the Village Board approves the establishment of and funding for the program, the program would begin on May 1, 2022.

We recommend that the Resolution Approving a Sewer Backup Prevention Program Policy and an Ordinance Amending Chapter 51.82 to the La Grange Code of Ordinances to change Sewer Usage fees be approved.

VILLAGE OF LA GRANGE

RESOLUTION NO. _____

**A RESOLUTION APPROVING A SEWER BACKUP PREVENTION PROGRAM
POLICY**

WHEREAS, the Village of La Grange has long sought to reduce flooding and manage stormwater in the Village; and

WHEREAS, effective stormwater management benefits the residents of the Village and maintains property values in the Village;

WHEREAS, the Village has broad authority to manage and regulate stormwater pursuant to Division 139 (65 ILCS 5/11-139-1 *et seq.*) and Section 11-30-2 (65 ILCS 5/11-30-2) of the Illinois Municipal Code; and

WHEREAS, as part of its efforts to reduce flooding in the Village, the Village is pursuing multiple initiatives to manage stormwater to benefit Village residents and their properties; and

WHEREAS, the Village Environmental Quality Commission (“Commission”) has studied a residential flood rebate and cost-share program to reimburse residential property owners in the Village for a portion of their expenditures to install backflow check valves and overhead sewers (“Program”); and

WHEREAS, the Commission has recommended that the Village Board adopt the Program pursuant to the policy attached as Exhibit A hereto and incorporated herein (“Policy”); and

WHEREAS, while the Program will not solve all of the Village’s stormwater and flooding problems, the Program is an important step in assisting residents to alleviate flooding on their properties; and

WHEREAS, the Village President and Board of Trustees have determined that the Program and approving the Policy will serve and be in the best interest of the Village;

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of La Grange, Cook County and State of Illinois, as follows:

Section 1. **Recitals.** The recitals are incorporated into this Resolution as findings of the Board of Trustees.

Section 2. **Adoption of Policy.** The Policy is hereby adopted as set forth in Exhibit A.

Section 3. Effective Date. This Resolution will be in full force and effect as of its passage and approval.

PASSED this ____ day of ____ 2022

Ayes: _____

Nays: _____

Absent: _____

APPROVED this _____ day of _____ 2022

Mark Kuchler, Village President

Attest:

Paul Saladino, Village Clerk

EXHIBIT A

POLICY

Residential Sewer Backup Prevention Program

Program Overview

When the Village's combined sewer system becomes overburdened during a large rain event, wastewater can flow back into a home from the public sewer main. When this occurs, wastewater may enter the home through the lowest plumbing fixture, which is usually a floor drain or sink in the basement. To reduce the risk of this happening, the Village of La Grange offers a Residential Sewer Backup Prevention Program for single and two family homes.

The Village of La Grange has budgeted funds for a program to assist single and two family homeowners with the cost of plumbing improvements to address sanitary sewer related backups. The program is administered on a "first come - first served" annual basis. The program provides 50% reimbursement of eligible costs, subject to a maximum reimbursement of \$3,000 for backflow devices or \$5,000 for overhead sewers. Each property is eligible for a one-time grant capped at \$5,000. The maximum grant amount is based on the cost estimate provided in the application materials and the Village is not responsible for costs that may be incurred after the application is approved. Permit fees for work funded through this program are waived. The goal of the program is to encourage homeowners to improve their quality of life and enhance property values through the reduction of sanitary sewer backups.

Definitions

Overhead Sewer: An overhead sewer consists of an ejector pit, ejector pump, and backflow valve. All plumbing drains in the basement are directed to the new ejector pit and pumped into the building sanitary service. The sealed connection and backflow valve prevents backflow from discharging into the basement.

Check valve: A check valve is a one-way valve that allows fluid to flow in one direction and prevents backflow discharging into the basement from the sewer main.

Program Eligibility Requirements

Eligible properties include only existing single-family detached and two-family homes; new construction is not eligible. Rental properties are eligible but only if applied for by the property owner. Properties that are located in the South Lyons Sanitary District are not eligible to participate in the program and may not seek reimbursement of their otherwise qualified expenses.

To qualify for partial reimbursement for the installation of an overhead sewer or check valve, the property owner must comply with all mandatory program conditions. All work must be performed by a licensed plumber following the issuance of a building permit. Downspouts and sump pumps connected to the combined sewer system must be disconnected to participate in the program.

A complete application must be submitted in order to be eligible for reimbursement and to confirm available funding. The complete application must be submitted before work begins to be considered for reimbursement.

Eligible Costs

- Installation of overhead sewers
- Installation of backflow prevention valve
- Cost of trenching and concrete floor replacement associated with eligible work

Non-Eligible Costs

- Backup or flooding improvements made to commercial, industrial, or multi-family (greater than 2 family) buildings
- Property improvements not associated with sanitary sewage backup protection (i.e. foundation crack sealing, footing drains, sump pumps, etc.)
- Removal and replacement of basement walls and finishes
- Use of materials or methods not meeting the requirements of Village specifications
- Upgrading of electrical supply to accommodate sump pump or ejector pump
- Battery back-up system for sump pump
- Battery back-up alarm
- Cost of disconnecting downspouts or sump pumps from the combined sewer system.
- Restoration with grass seed or sod or other landscape work
- Work performed without necessary building permits
- Expenses incurred before approval of program participation
- Expenses incurred by properties that are located in the South Lyons Sanitary District

Grant Period

The grant funding period is May 01 through April 30 annually. Once funds budgeted for a given year are fully obligated, no further applications will be accepted. Work must be completed and paid for within the same funding year in which the grant was awarded.

Program Process

The following outlines the key steps in the grant process:

1. Property owner reviews the eligibility requirements for the program as outlined on the Village website and contacts the Community Development Department with any questions.
2. Property owner must obtain no less than three written proposals from licensed plumbing contractors to perform necessary corrective action.
3. Property owner selects contractor.

4. Property owner submits completed application form, cost estimates, and all materials required for the building permit application to the Village.
5. Permit is issued, participation in the program is approved, and funds are reserved.
6. The plumber performs the work and calls for Village inspections as required. The disconnection of any existing sump pump or downspout connections to the Village combined sewer will be required by this time.
7. The property owner pays the full amount of the plumber's invoice upon completion of the work, according to any agreements made with the plumber.
8. The property owner submits their reimbursement request consistent with the program participation approval provided at the time of permit issuance, along with proof of payment and other required documentation.

ORDINANCE NO. O-22-_____

AN ORDINANCE AMENDING
SECTION 51.82 OF THE LA GRANGE CODE OF ORDINANCES TO
CHANGE THE SEWER USAGE FEES

Published in pamphlet form by the authority of the Board of Trustees of the Village of La Grange, County of Cook, Illinois and legally, this 25th day of April, 2022.

BE IT ORDAINED by the President and Board of Trustees of the Village of La Grange, County of Cook, State of Illinois, that its Code of Ordinances be amended as follows:

SECTION 1: Section 51.82, titled “User Rate,” of Chapter 51, titled “Sewer Use,” of the “La Grange Code of Ordinances,” as amended (“Village Code”), is hereby amended and shall read as follows:

“§ 51.82 USER RATE

- (A) The user rate shall be and is hereby established for the use of, and for sewers supplied by, the wastewater facility of the Village. The rate on and after May 5, 2022, shall be \$1.83 per one hundred (100) cubic feet of water purchased by the user, with a minimum charge of \$12.22 for each two-month billing period applied to all user whose water consumption does not exceed six hundred (600) cubic feet and with a minimum charge of \$6.11 for each one-month billing period applied to all users whose water consumption does not exceed three (300) hundred cubic feet.

* * *

SECTION 2: All other provisions of Chapter 51 of the Village Code shall remain in full force and effect.

SECTION 3: This Ordinance shall be in full force and effect 10 days after its passage, approval and publication in pamphlet form for review at the La Grange Village Offices and the La Grange Public Library.

[SIGNATURE PAGE FOLLOWS]

ADOPTED this 25th day of April 2022.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this 25th day of April 2022.

Mark Kuchler, Village President

ATTEST:

Paul Saladino, Village Clerk