

MAINE TOWNSHIP DRAINAGE & LEVEE DISTRICT

DISTRICT RULES & POLICIES

EFFECTIVE DECEMBER 29, 2005

PURPOSE

The Maine Township Drainage & Levee District's Commissioners (also referred to as "The District") have formalized rules and regulations that have been previously endorsed, adopted and applied in practice over its existence. The purpose is to clarify and make readily accessible in writing The District's policies in order to preserve and protect drainage rights, the environment, and to minimize maintenance and special assessments.

STATE LAW & LOCAL ORDINANCE

The District is a unit of government bound by the Illinois Drainage Code. In addition, The District accepts and applies the Will County Storm Water Management Ordinance in its entirety to guide the process of connecting to The District's drainage system. Vernacular reference to Will County shall mean Maine Township Drainage & Levee District where applicable. The use of the Will County Ordinance provides The District's landowners and other interested parties with distinct advantages. First, it provides standardization with a neighboring watershed at the discharge point of The District's system. Second, it is a set of written rules that has been developed by a larger government entity.

APPLICATION

All non-exempt development will be required to formally apply to The District for permission to connect to the system or to modify an existing connection in accordance with ILCS Section 605/2-9. Parcels of two or less contiguous single-family residential developments and agricultural developments are considered exempt. A complete application is as follows:

- Completed application form.
- Evidence of fulfilling the requirements of other controlling governmental entities including municipal, township, county, state and federal.
- Two copies of the preliminary plat map.
- Copies of complete stormwater management calculations.
- Copies of Stormwater Pollution Prevention Plan.
- Application fee of \$100.

Application is to be made only to The District's commissioners or attorney. The current legal address for The District is the Chairman: William J. Stahler, 820 S. Jugtown Road, Coal City, IL 60416, 815.634.2161. The District's web address is www.mainedrainage.com.

Applications and reviews should be considered to take a minimum of 30 days depending on size and site specific issues. Every effort will be made to shorten the 30 day period if possible.

The District's Commissioners will meet within 10 business days of completion and compliance with all rules and codes in order to grant the right to connect to the system as evidenced by a written connection permit. Every effort will be made to shorten the 10 business day period, if possible.

DISPUTE RESOLUTION

The District will discuss any variation to the rules if it is demonstrated and approved by its engineer and attorney that changes cure rational conflicts in construction, betterment of water flow, or storage, or a variance would provide an overall benefit to The District's System. Economic development savings shall not be a basis for change in itself.

In the event that the applicant is in dispute with any of the District's findings or policies, the applicant can request a special meeting with the Commissioners and their attorney and engineer. Every effort to resolve differences will be made.

Administrative review for appeals of non-compliance will be forwarded to the Grundy County Circuit Court for scheduling if appeals are requested in lieu of compliance changes that are requested. Every effort will be made to circumvent the appeal process by review of the written appeal by the three commissioners and a full consensus to allow a variance. Economics in itself is not a valid reason for a variance, but may be in conjunction with the District engineer recommendation, a minimal impact to the system, or the physical impracticality of construction.

ENGINEERING & LEGAL FEES

The applicant shall pay all engineering and legal fees or costs incurred by the District for the District's review of an application. At the time of filing an application, the applicant shall pay to the District \$ 1,000.00 for engineering review and \$1,000.00 for attorney review to be held in escrow by the District for payment of engineering and legal review costs. The escrow deposit is part of the application and review of the application shall not commence until the District has received the escrow deposit. The District may distribute from the escrow to its engineer and attorney payment of fees and costs as invoiced to the District. If the applicant's escrow is depleted prior to completion of the application review, then the review shall stop and it shall not recommence until such time as the applicant has funded the escrow with additional deposit(s). The District's Commissioners will not meet to consider a written connection permit until the review of the application is complete as evidenced by a letter from the district's engineer and/or attorney and all fees and costs have been paid. If an applicant withdraws an application prior to a connection permit approval, then the applicant is responsible for payment of the District's review costs through the date of withdrawal of the application. The date of withdrawal of an application shall be the date the District receives a written notice of an application withdrawal delivered to the legal address for the District. If the District holds excess funds in the applicant's escrow after the written connection permit has been issued

or upon withdrawal, then the District will refund the balance of the escrow to the applicant .

MAINTENANCE FEES

The applicant will be required to pay any costs incurred by The District to remove debris, siltation and correct any unapproved alterations to the system as a result of construction subsequent to the applicant's connection to the system. The applicant will be required to deposit with The District an escrow amount of \$200 per acre prior to any connection approval. Monies will be distributed to the District's engineer and contractor as invoiced to The District. If the escrow is depleted prior to the maintenance completion, the applicant will be required to replenish the escrow. Excess escrow amounts will be refunded at the time of maintenance completion.

DEFINITION AND REVIEW OF CONNECTION POINTS

1. Connection Points include direct connections to pipes or open ditches or indirect connections through private or municipal conveyance systems that ultimately place storm water of effluent into the District's System.
2. The District's engineer shall review all points of direct connection to the System for best practices concerning flow, maintenance, quality, and the environment.
3. Approval does not remove liability from the developer to maintain the connection point of for correcting erosion problems that develop after consistent use.

COUNTY AND VILLAGE ORDINANCES

1. A uniform intergovernmental agreement will be required to ensure compliance of items under the control of these government agencies to insure application, compliance, inspection, and maintenance where applicable.
2. Intergovernmental agreements may be site specific or by general non-revocable ordinance applicable to all developmental at the discretion of the County or Municipality.

SET BACKS

1. All properties will record on deeds a District right-of-way determined by the District engineer for the open waterway.
2. The District also requires, for future maintenance and liability concerns, a 20' wide open space right-of-way set back on each side of an open waterway for access and maintenance equipment.
3. The 20' wide open space is measured perpendicular from the existing top edge of the waterway to a point away from the waterway. Developers are responsible for their portion of contract with the waterway.

4. Connection permits require proof of Deed Recordings before issuance.
5. The District is responsible to maintain slopes and the bottom of the waterway.
6. The District does not maintain the open space.
7. Landscaping, berms, fences, paths, roadways and public utilities are prohibited in the right-of-ways.
8. Set Backs are not considered as giving the right to The District to widen any waterway without due process including notice, acquisition, compensation, and permits.
9. Right-of-Way rules may be circumvented by municipal agreements to fully maintain the access, slope, and bottom of a ditch. Municipalities must always retain final liability to The District event if associations are given empowerment to tax and maintain. General maintenance funds collected by The District will not be rebated to municipalities requesting maintenance rights in order to avoid restrictions placed by The District.

INSPECTIONS

The District engineer will determine the need for inspection. They will be listed prior to construction and the fees applicable. District Commissioners can be requested by the engineer of the developer to participate in reviews or inspections at the statutory rate of \$30 per day payable by the developer. It is the desire of The District to minimize District inspections by accepting registered engineers certification of compliance with major components of the drainage system as outlined by the District. When the contractual list of inspection items has been completed satisfactorily, the district will supply a notice of complete conformance to the rules. If the District does not provide a list of inspections at the time of construction approval, then no additional inspection beyond what is required in the Will County Ordinance will be required.

Attested to be the most current rules of The Maine Township Drainage and Levee District as presented and recorded in Grundy County Circuit Court, publicly available on the www.mainedrainage.com web site (attorney and engineer offices as well), and disseminated to Counties, Villages, and Village engineers (if known), as of March 31, 2006.

William J. Stahler

William J. Stahler, Chairman

Mark A. Wills

Mark A. Wills, Commissioner

David Hauschild

David Hauschild, Commissioner

Rita Willis

Rita Willis, Secretary/Treasurer