



STATE OF ILLINOIS)
COUNTIES OF KANE, DUPAGE,)
 KENDALL AND WILL)
CITY OF AURORA)

CERTIFICATE

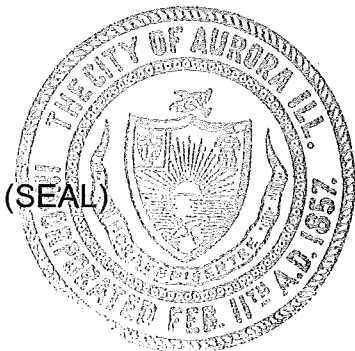
I, Wendy McCambridge, DO HEREBY CERTIFY THAT I am the City Clerk of the City of Aurora, Kane, DuPage, Kendall and Will Counties, Illinois and, as such officer, I have the lawful power and duty to keep a record of all proceedings of the City Council of said City, and of all Ordinances and Resolutions presented to or passed by said City Council.

I DO HEREBY FURTHER CERTIFY that the foregoing document is a true, correct and complete copy of:

ORDINANCE NO. O16-116
AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE
WATER SUPPLY IN THE AREA OF THE INTERSECTION OF NORTH AVENUE AND
RIVER STREET

which was approved on December 20, 2016, is now on file in my office and that the proceedings of the City Council of said City at the meeting duly called and held on December 20, 2016, were in accordance with applicable laws, at which a quorum was present and acting throughout.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of the City of Aurora, in the State of Illinois this 10th day of March, 2017.



Wendy McCambridge
Wendy McCambridge
City Clerk
City of Aurora, Illinois



CITY OF AURORA, ILLINOIS

ORDINANCE NO. 016-116
DATE OF PASSAGE December 20, 2016

An Ordinance Prohibiting the use of Groundwater as a Potable Water Supply in the area of the Intersection of North Avenue and River Street..

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, certain properties in the City of Aurora, Illinois have been used over a period of time for commercial/industrial purposes; and

WHEREAS, because of said use, concentrations of certain chemical constituents in the groundwater beneath the City may exceed Class I groundwater quality standards for potable resource groundwater as set forth in 35 Illinois Administrative Code 620 or Tier 1 remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the City of Aurora desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productive use of properties that are the source of said chemical constituents;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows:

Section One. Use of groundwater as a potable water supply prohibited.

Notwithstanding anything to the contrary contained in the Code, [except for such uses or methods in existence before the effective date of this ordinance,] the use or attempt to use as a potable water supply groundwater from within the boundaries described below, as a potable water supply, by the installation or drilling of wells or by any other method is hereby prohibited. This prohibition expressly includes the City of Aurora.

Boundaries: The area within a boundary beginning at the northeast corner of the intersection of Prairie Street and River Street, then along Prairie Street to the west to the western boundary of the City-owned property with PIN 15-21-479-009, then north along the western boundary of PIN 15-21-479-009 to River Street, then across River Street to the northern boundary of PIN 15-21-480-017, then along the northern boundary of 15-21-480-017 to the western shoreline of the Fox River, then extending directly east to the east shoreline of the Fox River, then extending south along the east shoreline of the Fox River to the BNSF RR right-of-way (PIN 15-28-501-006), then extending west along the BNSF RR right-of-way (PIN 15-28-501-006) to the west shoreline of the east branch of the Fox River, then extending south along the west shoreline of the east branch of the Fox River until the southernmost point of Hurds Island, then extending due west to the west shoreline of the Fox River, then extending north along the west shoreline of the Fox River to the southeast corner of 408-424 South River Street (PIN 15-28-202-001), then extending west along 408-424 South River Street (PIN 15-28-202-001) to the east side of River Street, then extending north along River Street to the northeast corner of the intersection of River Street and Prairie Street, as depicted on the attached Exhibit.

Section Two. Penalties.

Any person violating the provisions of this ordinance shall be subject to a fine of up to \$1,000.00 for each violation.

Section Three. Definitions.

"Person" is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns.

"Potable water" is any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing foods.

Section Four. Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed insofar as they are in conflict with this ordinance.

Section Five. Severability.

If any provision of this ordinance or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of the ordinance as a whole or of any portion not adjudged invalid.

ORDINANCE NO. 016-116
DATE OF PASSAGE December 20, 2016

Section Six. Effective date.

This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

ORDINANCE NO. 016-116
DATE OF PASSAGE December 20, 2016

PASSED AND APPROVED ON December 20, 2016

AYES 12 NAYS 0 NOT VOTING 0 ABSENT 0

ATTEST:

Wendy McCombidge
City Clerk

John Oliver
Mayor

16-01191

RECOMMENDATION

TO: THE COMMITTEE OF THE WHOLE

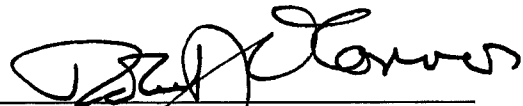
FROM: THE FINANCE COMMITTEE

The Finance Committee at a special joint meeting on Tuesday, December 13, 2016

Recommended APPROVAL of An Ordinance Prohibiting the use of Groundwater as a Potable Water Supply in the area of the Intersection of North Avenue and River Street.

The Vote 3-0

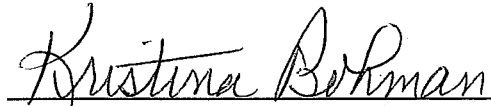
Submitted By



Alderman Robert O'Connor, Chairman



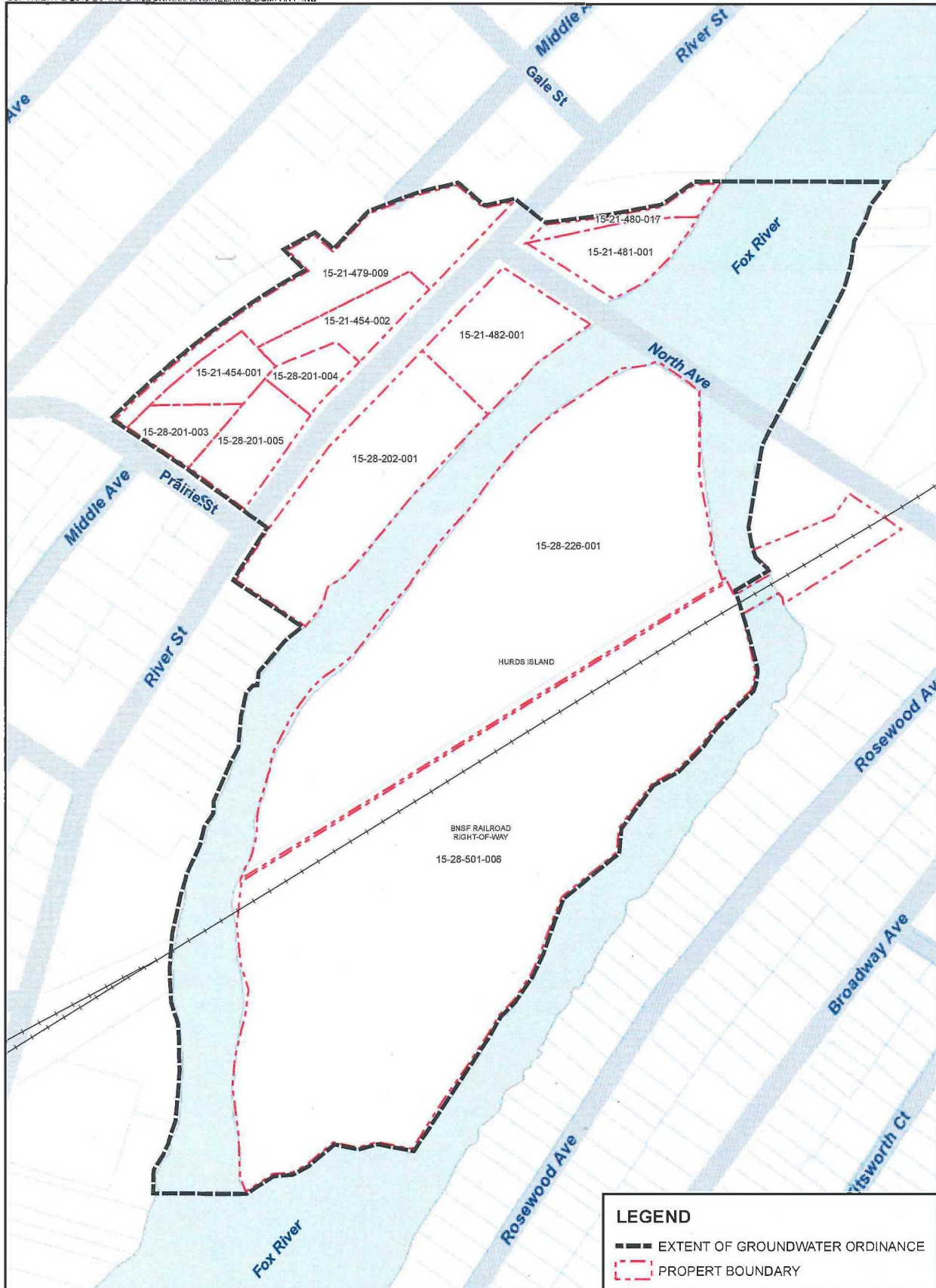
Alderman Rick Mervine



Alderman Kristina "Tina" Bohman

Alderman Ted Mesiacos, alternate

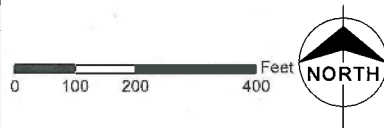
Dated this 13th day of December, 2016



LEGEND

— EXTENT OF GROUNDWATER ORDINANCE

- - - PROPERTY BOUNDARY



BURNS & McDONNELL

Nicor Gas™
An AGL Resources Company

EXHIBIT C-1

BOUNDARIES OF GROUNDWATER ORDINANCE