



VILLAGE OF WINNETKA

PRESS RELEASE

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For Immediate Release

August 20, 2015

Winnetka's Utility Fee to Fund Stormwater Management Projects Can Stand, Judge Rules

The Village of Winnetka today prevailed in its efforts to dismiss a lawsuit challenging the legality of a stormwater utility fee it implemented to fund much needed projects that will better manage stormwater and alleviate structural flooding throughout the community.

Cook County Circuit Court Judge Kathleen Kennedy, in response to a motion filed by the Village of Winnetka, today dismissed with prejudice the complaint challenging the Village's stormwater utility fee. Having reviewed the Plaintiff's allegations, all of the briefs, and extensive oral argument, Judge Kennedy found that the Village's stormwater utility ordinance and fee complied with Illinois law.

"The court's ruling today confirms that the Village's stormwater utility and fee fully comply with all applicable law and that the Village Council properly exercised its authority under the Illinois Municipal Code and the Illinois Constitution," said Village Attorney Peter Friedman.

The stormwater utility fee was enacted by a unanimous vote by the Village Council in March of 2014 after a full year of study, extensive analysis, public comment and debate.

"We have said all along that in order to address Winnetka's pervasive structural flooding problem that the Village needed a stable revenue source for the construction, maintenance, operation and improvement of an effective stormwater management system," said Village President Gene Greable. "We are pleased that the court affirmed our position that the stormwater utility fee can stand and is a reasonable method to fund Winnetka's top infrastructure priority."

The stormwater user fee is based on a property's impact to the Village's stormwater system. Properties generating runoff benefit from the Village's stormwater utility infrastructure. The Village's utility model represents an equitable method to collect revenue based on the use of and impact on the stormwater management system.

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